JOURNAL

OF THE

REGULAR SESSION OF THE SENATE

OF THE

COMMONWEALTH OF KENTUCKY,

BEGUN AND HELD IN THE CITY OF FRANKFORT, ON MONDAY, THE FOURTH DAY OF DECEMBER, IN THE YEAR OF OUR LORD 1871, AND OF THE COMMONWEALTH THE EIGHTIETH.

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JOURNAL

OF

THE SENATE OF KENTUCKY.

MONDAY, DECEMBER 4, 1871.

At a General Assembly, begun and held for the State of Kentucky at the Capitol, in the town of Frankfort, on Monday, the 4th day of December, one thousand eight hundred and seventy-one, it being the day appointed by law for the meeting of the General Assembly, Hon. John G. Carlisle, the Lieutenant Governor, took the Chair as Speaker of the Senate, and the following members of the Senate appeared and took their seats, viz:

John S. Barlow,	J. H. Dorman,	William Johnson,
Robert Boyd,	William P. Duvall,	A. L. McAfee,
R. A. Burton,	W. McKee Fox,	O. D. McManama,
E. P. Campbell,	John J. Gatewood,	Alfred T. Pope,
James B. Casey,	Jesse C. Gilbert,	K. F. Prichard,
W. H. Chelf,	D. R. Haggard,	E. D. Standeford,
J. Q. Chenoweth,	H. S. Hale,	A. G. Talbott,
James F. Clay,	Thomas F. Hargis,	W. L. Vories,
Harrison Cockrill,	Edwin Hawes,	Ben. J. Webb,
Wm L. Conklin,	J. B. Haydon,	Emery Whitaker,
John E. Cooper,	G. A. C. Holt,	Thos. Wrightson—35.
F. W. Darby,	John W. Johnson,	

From the First Senatorial District, H. S. Hale.
From the Second Senatorial District, Jesse C. Gilbert.
From the Third Senatorial District, G. A. C. Holt.
From the Fourth Senatorial District, F. W. Darby.
From the Fifth Senatorial District, James F. Clay.
From the Sixth Senatorial District, E. P. Campbell.
From the Seventh Senatorial District, Edwin Hawes.
From the Eighth Senatorial District, John W. Johnson.
From the Ninth Senatorial District, Wm. L. Conklin.
From the Tenth Senatorial District, J. B. Haydon.
From the Eleventh Senatorial District, John S. Barlow.
From the Thirteenth Senatorial District, John J. Gatewood.
From the Fourteenth Senatorial District, Wm. Johnson.
From the Fifteenth Senatorial District, R. A. Burton.
From the Sixteenth Senatorial District, D. R. Haggard.
From the Seventeenth Senatorial District, W. McKee Fox.
From the Eighteenth Senatorial District, A. G. Talbott.
From the Nineteenth Senatorial District, W. H. Chelf.
From the Twentieth Senatorial District, J. Q. Chenoweth.
From the Twenty-first Senatorial District, W. L. Vories.
From the Twenty-second Senatorial District, W. P. Duvall.
From the Twenty-third Senatorial District, J. H. Dorman.
From the Twenty-fourth Senatorial District, Jas. B. Casey.
From the Twenty-fifth Senatorial District, Thos. Wrightson.
From the Twenty-sixth Senatorial District, O. D. McManama.
From the Twenty-seventh Senatorial District, A. L. McAfee.
From the Twenty-ninth Senatorial District, Harrison Cockrill.
From the Thirtieth Senatorial District, Thos. F. Hargis.
From the Thirty-first Senatorial District, Emery Whitaker.
From the Thirty-second Senatorial District, K. F. Prichard.
From the Thirty-fourth Senatorial District, John E. Cooper.
From the Thirty-fifth Senatorial District, E. D. Standeford.
From the Thirty-sixth Senatorial District, Ben. J. Webb.
From the Thirty-seventh Senatorial District, Alfred T. Pope.
From the Thirty-eighth Senatorial District, Robert Boyd.

The said H. S. Hale, Jesse C. Gilbert, G. A. C. Holt, F. W. Darby, James F. Clay, E. P. Campbell, John S. Barlow, John J. Gatewood, D. R. Haggard, W. P. Duvall, James B. Casey, O. D. McManama, Thos. F. Hargis, John E. Cooper, E. D. Standeford, Benj. J. Webb, Alfred T. Pope, and Robert Boyd severally produced certificates of

their election, and took the several oaths required by the Constitution of the United States and the Constitution and laws of this State.

The Speaker then announced that nominations for the office of Chief Clerk of the Senate were now in order.

Mr. Talbott nominated J. Russell Hawkins as a suitable person to fill said office.

Mr. Gatewood nominated W. T. Samuels for the same office.

The Senate then proceeded to take the vote, which stood thus:

Those who voted for Mr. Hawkins, were—

E. P Campbell,	Edwin Hawes,	E. D. Standeford,
W. H. Chelf,	J. B. Haydon,	A. G. Talbott,
J. Q. Chenoweth,	G. A. C. Holt,	W. L. Vories,
F. W. Darby,	John W. Johnson,	Ben. J. Webb,
J. H. Dorman,	A. L. McAfee,	Emery Whitaker,
William P. Duvall,	O. D. McManama,	Thos. Wrightson—19.
Jesse C. Gilbert,		

Those who voted for Mr. Samuels were—

John S. Barlow,	Harrison Cockrill,	H. S. Hale,
Robert Boyd,	Wm. L. Conklin,	Thomas F. Hargis,
R. A. Burton,	John E. Cooper,	William Johnson,
James B. Casey,	W. McKee Fox,	Alfred T. Pope,
James F. Clay,	John J. Gatewood,	K. F. Prichard—15.

J. Russell Hawkins having received a majority of all the votes cast, was declared elected Chief Clerk of the Senate for the present session, who then took the oath prescribed by the Constitution and laws of the State.

The Speaker then announced that nominations for the office of Assistant Clerk of the Senate were now in order.

Whereupon, Mr. Talbott nominated W. H. Miller as a suitable person to fill said office.

Mr. Dorman nominated W. T. Havens for the same office.

Mr. Duvall nominated John L. Sneed for the same office.

Mr. McManama nominated George W. Silvertooth for the same office.

The Senate then proceeded to take the vote, which stood thus:

Those who voted for Mr. Miller, were—

R. A. Burton,	W. McKee Fox,	A. L. McAfee,
J. Q. Chenoweth,	D. R. Haggard,	E. D. Standeford,
Harrison Cockrill,	Edwin Hawes,	A. G. Talbott—9.

Those who voted for Mr. Havens, were—

John E. Cooper,	Thomas F. Hargis,	Emery Whitaker—5.
J. H. Dorman,	K. F. Prichard,	

Those who voted for Mr. Sneed, were—

Robert Boyd,	William P. Duvall,	Wm. Johnson,
James B. Casey,	John J. Gatewood,	W. L. Vories,
W. H. Chelf,	J. B. Haydon,	Ben. J. Webb—9.

Those who voted for Mr. Silvertooth, were—

John S. Barlow,	F. W. Darby,	John W. Johnson,
E. P. Campbell,	Jesse C. Gilbert,	O. D. McManama,
James F. Clay,	H. S. Hale,	Alfred T. Pope,
Wm. L. Conklin,	G. A. C. Holt,	Thos. Wrightson—12.

No one in nomination having received a majority of all the votes cast, the Senate proceeded to take another vote, which stood thus:

Those who voted for Mr. Miller, were—

R. A. Burton,	W. McKee Fox,	E. D. Standeford,
J. Q. Chenoweth,	D. R. Haggard,	A. G. Talbott—8.
Harrison Cockrill,	Edwin Hawes,	

Those who voted for Mr. Havens, were—

John E. Cooper,	Thomas F. Hargis,	K. F. Prichard,
J. H. Dorman,	A. L. McAfee,	Emery Whitaker—6.

Those who voted for Mr. Sneed, were—

Robert Boyd,	William P. Duvall,	Alfred T. Pope,
E. P. Campbell,	John J. Gatewood,	W. L. Vories,
James B. Casey,	J. B. Haydon,	Ben. J. Webb—11.
W. H. Chelf,	William Johnson,	

Those who voted for Mr. Silvertooth, were—

John S. Barlow,	Jesse C. Gilbert,	John W. Johnson,
James F. Clay,	H. S. Hale,	O. D. McManama,
Wm. L. Conklin,	G. A. C. Holt,	Thos. Wrightson—10.
F. W. Darby,		

No one in nomination having received a majority of all the votes cast, the Senate then proceeded to take another vote, which stood thus:

Those who voted for Mr. Miller, were—

J. Q. Chenoweth,	D. R. Haggard,	E. D. Standeford,
Harrison Cockrill,	Edwin Hawes,	A. G. Talbott—8.
W. McKee Fox,	A. L. McAfee,	

Those who voted for Mr. Havens, were—

John E. Cooper,	Thomas F. Hargis,	Emery Whitaker—5.
J. H. Dorman,	K. F. Prichard,	

Those who voted for Mr. Sneed, were—

Robert Boyd,	Wm. P. Duvall,	Alfred T. Pope,
E. P. Campbell,	John L. Gatewood,	W. L. Vories,
James B. Casey,	J. B. Haydon,	Ben. J. Webb—11.
W. H. Chelf,	Wm. Johnson,	

Those who voted for Mr. Silvertooth, were—

John S. Barlow,	F. W. Darby,	John W. Johnson,
R. A. Burton,	Jesse C. Gilbert,	O. D. McManama,
James F. Clay,	H. S. Hale,	Thos. Wrightson—11.
Wm. L. Conklin,	G. A. C. Holt,	

Mr. Dorman then withdrew the name of Mr. Havens.

The vote was then taken between those remaining in nomination, which stood thus:

Those who voted for Mr. Miller, were—

R. A. Burton,	W. McKee Fox,	A. L. McAfee,
J. Q. Chenoweth,	D. R. Haggard,	E. D. Standeford,
Harrison Cockrill,	Edwin Hawes,	A. G. Talbott—9.

Those who voted for Mr. Sneed, were—

Robert Boyd,	Wm. P. Duvall,	Alfred T. Pope,
E. P. Campbell,	John J. Gatewood,	K. F. Prichard,
James B. Casey,	Thomas F. Hargis,	W. L. Vories,
W. H. Chelf,	J. B. Haydon,	Ben. J. Webb,
John E. Cooper,	Wm. Johnson,	Emery Whitaker—16.
J. H. Dorman,		

Those who voted for Mr. Silvertooth, were—

John S. Barlow,	Jesse C. Gilbert,	John W. Johnson,
James F. Clay,	H. S. Hale,	O. D. McManama,
Wm. L. Conklin,	G. A. C. Holt,	Thos. Wrightson—10.
F. W. Darby,		

No one in nomination having received a majority of all the votes cast, the Senate then proceeded to take another vote, which stood thus:

Those who voted for Mr. Miller, were—

J. Q. Chenoweth,	D. R. Haggard,	E. D. Standeford,
Harrison Cockrill,	Edwin Hawes,	A. G. Talbott—8.
W. McKee Fox,	A. L. McAfee,	

Those who voted for Mr. Sneed, were—

Robert Boyd,	J. H. Dorman,	Wm. Johnson,
E. P. Campbell,	Wm. P. Duvall,	Alfred T. Pope,
James B. Casey,	John J. Gatewood,	K. F. Prichard,
W. H. Chelf,	Thomas F. Hargis,	Ben. J. Webb,
John E. Cooper,	J. B. Haydon,	Emery Whitaker—15.

Those who voted for Mr. Silvertooth, were—

John S. Barlow,	F. W. Darby,	John W. Johnson,
R. A. Burton,	Jesse C. Gilbert,	O. D. McManama,
James F. Clay,	H. S. Hale,	Thos. Wrightson—11.
Wm. L. Conklin,	G. A. C. Holt,	

No one in nomination having received a majority of all the votes cast, the Senate then proceeded to take another vote, which stood thus:

Those who voted for Mr. Miller, were—

R. A. Burton, W. McKee Fox, A. L. McAfee,
J. Q. Chenoweth, D. R. Haggard, E. D. Standeford,
Harrison Cockrill, Edwin Hawes, A. G. Talbott—9.

Those who voted for Mr. Sneed, were—

Robert Boyd, J. H. Dorman, Alfred T. Pope,
E. P. Campbell, William P. Duvall, K. F. Prichard,
James B. Casey, John J. Gatewood, W. L. Vories,
W. H. Chelf, Thomas F. Hargis, Ben. J. Webb,
John E. Cooper, William Johnson, Emery Whitaker—15.

Those who voted for Mr. Silvertooth, were—

John S. Barlow, Jesse C. Gilbert, John W. Johnson,
James F. Clay, H. S. Hale, O. D. McManama,
Wm. L. Conklin, J. B. Haydon, Thos. Wrightson—11.
F. W. Darby, G. A. C. Holt,

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Those who voted for Mr. Miller, were—

R. A. Burton, D. R. Haggard, A. L. McAfee,
J. Q. Chenoweth, Thomas F. Hargis, E. D. Standeford,
Harrison Cockrill, Edwin Hawes, A. G. Talbott—10.
W. McKee Fox,

Those who voted for Mr. Sneed, were—

Robert Boyd, J. H. Dorman, K. F. Prichard,
E. P. Campbell, Wm. P. Duvall, W. L. Vories,
James B. Casey, John J. Gatewood, Ben. J. Webb,
W. H. Chelf, Wm. Johnson, Emery Whitaker—14.
John E. Cooper, Alfred T. Pope,

Those who voted for Mr. Silvertooth, were—

John S. Barlow, Jesse C. Gilbert, John W. Johnson,
James F. Clay, H. S. Hale, O. D. McManama,
Wm. L. Conklin, J. B. Haydon, Thos. Wrightson—11.
F. W. Darby, G. A. C. Holt,

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J. Q. Chenoweth, D. R. Haggard, E. D. Standeford,
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E. P. Campbell,	John J. Gatewood,	W. L. Vories,
James B. Casey,	Wm. Johnson,	Ben. J. Webb,
W. H. Chelf,	Alfred T. Pope,	Emery Whitaker—13.
J. H. Dorman,		

Those who voted for Mr. Silvertooth, were—

John S. Barlow,	Jesse C. Gilbert,	John W. Johnson,
James F. Clay,	H. S. Hale,	O. D. McManama,
Wm. L. Conklin,	J. B. Haydon,	Thos. Wrightson—11.
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J. Q. Chenoweth,	D. R. Haggard,	E. D. Standeford,
Harrison Cockrill,	Thomas F. Hargis,	A. G. Talbott—11.
John E. Cooper,	Edwin Hawes,	

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James B. Casey,	Wm. Johnson,	Ben. J. Webb,
W. H. Chelf,	Alfred T. Pope,	Emery Whitaker—13.
J. H. Dorman,		

Those who voted for Mr. Silvertooth, were—

John S. Barlow,	Jesse C. Gilbert,	John W. Johnson,
James F. Clay,	H. S. Hale,	O. D. McManama,
Wm. L. Conklin,	J. B. Haydon,	Thos. Wrightson—11.
F. W. Darby,	G. A. C. Holt,	

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Harrison Cockrill,	Thomas F. Hargis,	A. G. Talbott—11.
John E. Cooper,	Edwin Hawes,	

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Robert Boyd,	Wm. P. Duvall,	K. F. Prichard,
E. P. Campbell,	John J. Gatewood,	W. L. Vories,
James B. Casey,	Wm. Johnson,	Ben. J. Webb,
W. H. Chelf,	Alfred T. Pope,	Emery Whitaker—13.
J. H. Dorman,		

Those who voted for Mr. Silvertooth, were—

John S. Barlow,	Jesse C. Gilbert,	John W. Johnson,
James F. Clay,	H. S. Hale,	O. D. McManama,
Wm. L. Conklin,	J. B. Haydon,	Thos. Wrightson—11.
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J. Q. Chenoweth,	D. R. Haggard,	E. D. Standeford,
Harrison Cockrill,	Thomas F. Hargis,	A. G. Talbott—11.
John E. Cooper,	Edwin Hawes,	

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James B. Casey,	J. B. Haydon,	W. L. Vories,
W. H Chelf,	Wm. Johnson,	Ben. J. Webb,
J. H. Dorman,	Alfred T. Pope,	Emery Whitaker—13.
Wm. P. Duvall,		

Those who voted for Mr. Silvertooth, were—

John S. Barlow,	F. W. Darby,	John W. Johnson,
E. P. Campbell,	Jesse C. Gilbert,	O. D. McManama,
James F. Clay,	H. S. Hale,	Thos. Wrightson—11.
Wm. L. Conklin,	G. A. C. Holt,	

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J. Q. Chenoweth,	D. R. Haggard,	E. D. Standeford,
Harrison Cockrill,	Thomas F. Hargis,	A. G. Talbott—11.
John E. Cooper,	Edwin Hawes,	

Those who voted for Mr. Sneed, were—

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James B. Casey,	J. B. Haydon,	W. L. Vories,
W. H. Chelf,	William Johnson,	Ben. J. Webb,
J. H. Dorman,	Alfred T. Pope,	Emery Whitaker—13.
William P. Duvall,		

Those who voted for Mr. Silvertooth, were—

John S. Barlow,	F. W. Darby,	John W. Johnson,
E. P. Campbell,	Jesse C. Gilbert,	O. D. McManama,
James F. Clay,	H. S. Hale,	Thos. Wrightson—11.
Wm. L. Conklin,	G. A. C. Holt,	

No one in nomination having received a majority of all the votes cast, the Senate then proceeded to take another ballot, which stood thus:

Those who voted for Mr. Miller, were—

R. A. Burton,	W. McKee Fox,	A. L. McAfee,
Harrison Cockrill,	D. R. Haggard,	E. D. Standeford,
John E. Cooper,	Thomas F. Hargis,	A. G. Talbott—9

Those who voted for Mr. Sneed, were—

James B. Casey,	John J. Gatewood,	K. F. Prichard,
W. H. Chelf,	J. B. Haydon,	W. L. Vories,
J. H. Dorman,	William Johnson,	Ben. J. Webb,
William P. Duvall,	Alfred T. Pope,	Emery Whitaker—12.

Those who voted for Mr. Silvertooth, were—

John S. Barlow,	F. W. Darby,	John W. Johnson,
E. P. Campbell,	Jesse C. Gilbert,	O. D. McManama,
James F. Clay,	H. S. Hale,	Thos. Wrightson—11.
Wm. L. Conklin,	G. A. C. Holt,	

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Those who voted for Mr. Miller, were—

R. A. Burton,	J. H. Dorman,	A. L. McAfee,
J. Q. Chenoweth,	W. McKee Fox,	E. D. Standeford,
Harrison Cockrill,	D. R. Haggard,	A. G. Talbott—11.
John E. Cooper,	Thomas F. Hargis,	

Those who voted for Mr. Sneed, were—

James B. Casey,	J. B. Haydon,	W. L. Vories,
W. H. Chelf,	William Johnson,	Ben. J. Webb,
William P. Duvall,	Alfred T. Pope,	Emery Whitaker—11.
John J. Gatewood,	K. F. Prichard,	

Those who voted for Mr. Silvertooth, were—

John S. Barlow,	F. W. Darby,	John W. Johnson,
E. P. Campbell,	Jesse C. Gilbert,	O. D. McManama,
James F. Clay,	H. S. Hale,	Thos. Wrightson—11.
Wm. L. Conklin,	G. A. C. Holt,	

No one in nomination having received a majority of all the votes cast, the Senate then proceeded to take another ballot, which stood thus:

Those who voted for Mr. Miller, were—

R. A. Burton,	J. H. Dorman,	A. L. McAfee,
J. Q. Chenoweth,	W. McKee Fox,	E. D. Standeford,
Harrison Cockrill,	D. R. Haggard,	A. G. Talbott—11.
John E. Cooper,	Thomas F. Hargis,	

Those who voted for Mr. Sneed, were—

James B. Casey,	J. B. Haydon,	W. L. Vories,
W. H. Chelf,	William Johnson,	Ben. J. Webb,
William P. Duvall,	Alfred T. Pope,	Emery Whitaker—11.
John J. Gatewood,	K. F. Prichard,	

Those who voted for Mr. Silvertooth, were—

John S. Barlow,	F. W. Darby,	John W. Johnson,
E. P. Campbell,	Jesse C. Gilbert,	O. D. McManama,
James F. Clay,	H. S. Hale,	Thos. Wrightson—11.
Wm. L. Conklin,	G. A. C. Holt,	

Mr. Wrightson then nominated W. T. Samuels as a suitable person to fill the office of Assistant Clerk of the Senate.

The vote being taken, stood thus:

Those who voted for Mr. Miller, were—

R. A. Burton,	J. H. Dorman,	A. L. McAfee,
J. Q. Chenoweth,	W. McKee Fox,	E. D. Standeford,
Harrison Cockrill,	D. R. Haggard,	A. G. Talbott—11.
John E. Cooper,	Thomas F. Hargis,	

Those who voted for Mr. Sneed, were—

James B. Casey,	J. B. Haydon,	W. L. Vories,
W. H. Chelf,	Wm. Johnson,	Ben. J. Webb,
William P. Duvall,	K. F. Prichard,	Emery Whitaker—10.
John J. Gatewood,		

Those who voted for Mr. Silvertooth, were—

John S. Barlow,	F. W. Darby,	G. A. C. Holt,
E. P. Campbell,	Jesse C. Gilbert,	John W. Johnson,
James F. Clay,	H. S. Hale,	O. D. McManama—9.

Those who voted for Mr. Samuels, were—

Wm. L. Conklin,	Alfred T. Pope,	Thos. Wrightson—3.

No one in nomination having received a majority of all the votes cast, the Senate then proceeded to take another vote, which stood thus:

Those who voted for Mr. Miller, were—

R. A. Burton,	J. H. Dorman,	Edwin Hawes,
J. Q. Chenoweth,	W. McKee Fox,	A. L. McAfee,
Harrison Cockrill,	D. R. Haggard,	E. D. Standeford,
John E. Cooper,	Thomas F. Hargis,	A. G. Talbott—12.

Those who voted for Mr. Sneed, were—

James B. Casey,	J. B. Haydon,	W. L. Vories,
W. H. Chelf,	William Johnson,	Ben. J. Webb,
William P. Duvall,	K. F. Prichard,	Emery Whitaker—10.
John J. Gatewood,		

Those who voted for Mr. Silvertooth, were—

John S. Barlow,	F. W. Darby,	G. A. C. Holt,
E. P. Campbell,	Jesse C. Gilbert,	John W. Johnson,
James F. Clay,	H. S. Hale,	O. D. McManama—9.

Those who voted for Mr. Samuels, were—

Wm. L. Conklin,	Alfred T. Pope,	Thos. Wrightson—3.

No one in nomination having received a majority of all the votes cast, Mr. Wrightson withdrew the name of W. T. Samuels.

The Senate then proceeded to take another vote between those remaining in nomination, which stood thus:

Those who voted for Mr. Miller, were—

R. A. Burton,	J. H. Dorman,	Edwin Hawes,
J. Q. Chenoweth,	W. McKee Fox,	A. L. McAfee,
Harrison Cockrill,	D. R. Haggard,	E. D. Standeford,
John E. Cooper,	Thomas F. Hargis,	A. G. Talbott—12.

Those who voted for Mr. Sneed, were—

James B. Casey,	J. B. Haydon,	W. L. Vories,
W. H. Chelf,	Wm. Johnson,	Ben. J. Webb,
Wm. P. Duvall,	Alfred T. Pope,	Emery Whitaker—11.
John J. Gatewood,	K. F. Prichard,	

Those who voted for Mr. Silvertooth, were—

John S. Barlow,	F. W. Darby,	John W. Johnson,
E. P. Campbell,	Jesse C. Gilbert,	O. D. McManama,
James F. Clay,	H. S. Hale,	Thos. Wrightson—11.
Wm. L. Conklin,	G. A. C. Holt,	

No one in nomination having received a majority of all the votes cast, the Senate then proceeded to take another vote, which stood thus:

Those who voted for Mr. Miller, were—

R. A. Burton,	J. H. Dorman,	Edwin Hawes,
J. Q. Chenoweth,	W. McKee Fox,	A. L. McAfee,
Harrison Cockrill,	D. R. Haggard,	E. D. Standeford,
John E. Cooper,	Thomas F. Hargis,	A. G. Talbott—12.

Those who voted for Mr. Sneed, were—

James B. Casey,	J. B. Haydon,	W. L. Vories,
W. H. Chelf,	Wm. Johnson,	Ben. J. Webb,
Wm. P. Duvall,	Alfred T. Pope,	Emery Whitaker—11.
John J. Gatewood,	K. F. Prichard,	

Those who voted for Mr. Silvertooth, were—

John S. Barlow,	F. W. Darby,	John W. Johnson,
E. P. Campbell,	Jesse C. Gilbert,	O. D. McManama,
James F. Clay,	H. S. Hale,	Thos. Wrightson—11.
Wm. L. Conklin,	G. A. C. Holt,	

Mr. Barlow then withdrew the name of Mr. Silvertooth.

Mr. Prichard then nominated Mr. Joseph Gardner for the office of Assistant Clerk.

Mr. Darby then nominated A. L. McGoodwin for the same office.

The Senate then proceeded to take another vote, which stood thus:

Those who voted for Mr. Miller, were—

R. A. Burton,	W. McKee Fox,	John W. Johnson,
J. Q. Chenoweth,	D. R. Haggard,	A. L. McAfee,
Harrison Cockrill,	Thomas F. Hargis,	A. G. Talbott—11.
J. H. Dorman,	Edwin Hawes,	

Those who voted for Mr. Sneed, were—

John S. Barlow,	John J. Gatewood,	Alfred T. Pope,
James B. Casey,	J. B. Haydon,	W. L. Vories,
W. H. Chelf,	O. D. McManama,	Ben. J. Webb—10.
William P. Duvall,		

Those who voted for Mr. Gardner, were—

Wm. L. Conklin,	K. F. Prichard,	Emery Whitaker,
John E. Cooper,	E. D. Standeford,	Thos. Wrightson—7.
William Johnson,		

Those who voted for Mr. McGoodwin, were—

E. P. Campbell,	F. W. Darby,	H. S. Hale,
James F. Clay,	Jesse C. Gilbert,	G. A. C. Holt—6.

No one in nomination having received a majority of all the votes cast, the Senate then proceeded to take another vote, which stood thus:

Those who voted for Mr. Miller, were—

R. A. Burton,	D. R. Haggard,	A. L. McAfee,
J. K. Chenoweth,	Thomas F. Hargis,	E. D. Standeford,
J. H. Dorman,	Edwin Hawes,	A. G. Talbott—11.
W. McKee Fox,	John W. Johnson,	

Those who voted for Mr. Sneed, were—

John S. Barlow,	John J. Gatewood,	Alfred T. Pope,
James B. Casey,	J. B. Haydon,	W. L. Vories,
W. H. Chelf,	O. D. McManama,	Ben. J. Webb—10.
William P. Duvall,		

Those who voted for Mr. Gardner, were—

Harrison Cockrill,	William Johnson,	Emery Whitaker,
Wm. L. Conklin,	K. F. Prichard,	Thos. Wrightson—7.
John E. Cooper,		

Those who voted for Mr. McGoodwin, were—

E. P. Campbell,	F. W. Darby,	H. S. Hale,
James F. Clay,	Jesse C. Gilbert,	G. A. C. Holt—6.

No one in nomination having received a majority of all the votes cast, the Senate then proceeded to take another vote, which stood thus:

Those who voted for Mr. Miller, were—

R. A. Burton,	W. McKee Fox,	John W. Johnson,
J. Q. Chenoweth,	D. R. Haggard,	E. D. Standeford,
Harrison Cockrill,	Thomas F. Hargis,	A. G. Talbott—11.
J. H. Dorman,	Edwin Hawes,	

Those who voted for Mr. Sneed, were—

John S. Barlow,	John J. Gatewood,	Alfred T. Pope,
James B. Casey,	J. B. Haydon,	W. L. Vories,
W. H. Chelf,	O. D. McManama,	Ben. J. Webb—10.
William P. Duvall,		

Those who voted for Mr. Gardner, were—

Wm. L. Conklin,	A. L. McAfee,	Emery Whitaker,
John E. Cooper,	K. F. Prichard,	Thos. Wrightson—7.
William Johnson,		

Those who voted for Mr. McGoodwin, were—

E. P. Campbell,	F. W. Darby,	H. S. Hale,
James F. Clay,	Jesse C. Gilbert,	G. A. C. Holt—6.

No one in nomination having received a majority of all the votes cast, the Senate then proceeded to take another vote, which stood thus:

Those who voted for Mr. Miller, were—

R. A. Burton,	W. McKee Fox,	John W. Johnson,
J. Q. Chenoweth,	D. R. Haggard,	A. L. McAfee,
Harrison Cockrill,	Thomas F. Hargis,	A. G. Talbott—11.
J. H. Dorman,	Edwin Hawes,	

Those who voted for Mr. Sneed, were—

John S. Barlow,	John J. Gatewood,	Alfred T. Pope,
James B. Casey,	J. B. Haydon,	W. L. Vories,
W. H. Chelf,	O. D. McManama,	Ben. J. Webb—10.
William P. Duvall,		

Those who voted for Mr. Gardner, were—

Wm. L. Conklin,	K. F. Prichard,	Emery Whitaker,
John E. Cooper,	E. D. Standeford,	Thos. Wrightson—7.
William Johnson,		

Those who voted for Mr. McGoodwin, were—

E. P. Campbell,	F. W. Darby,	H. S. Hale,
James F. Clay,	Jesse C. Gilbert,	G. A. C. Holt—6.

On motion, the Senate then adjourned until to-morrow morning at 10 o'clock.

TUESDAY, DECEMBER 5, 1871.

The Senate resumed the consideration of the unfinished business of yesterday, viz: the election of Assistant Clerk of the Senate.

Mr. Talbott then withdrew the name of Mr. Miller.

Mr. Clay that of Mr. McGoodwin.

Mr. Cooper that of Mr. Gardner.

The Senate then proceeded to take the vote for Assistant Clerk of the Senate, which stood thus:

Those who voted for Mr. Sneed, were—

John S. Barlow,	W. McKee Fox,	Wm. Johnson,
R. A. Burton,	John J. Gatewood,	A. L. McAfee,
E. P. Campbell,	Jesse C. Gilbert,	O. D. McManama,
W. H. Chelf,	D. R. Haggard,	E. D. Standeford,
J. Q. Chenoweth,	H. S. Hale,	A. G. Talbott,
James F. Clay,	Thomas F. Hargis,	W. L. Vories,
Harrison Cockrill,	J. B. Haydon,	Ben. J. Webb,
Wm. L. Conklin,	G. A. C. Holt,	Emery Whitaker,
John E. Cooper,	John W. Johnson,	Thos. Wrightson—28.
J. H. Dorman,		

Mr. Sneed having received a majority of all the votes cast, was declared duly elected Assistant Clerk of the Senate for the present session; whereupon he took the oath as required by the Constitution and laws of the State.

The Speaker then announced that nominations were now in order for the office of Sergeant-at-Arms of the Senate.

Whereupon Mr. Wm. Johnson nominated D. D. Sublett as a suitable person to fill said office.

The Senate then proceeded to take the vote, which stood thus:

Those who voted for Mr. Sublett, were—

John S. Barlow,	W. McKee Fox,	Wm. Johnson,
R. A. Burton,	John J. Gatewood,	A. L. McAfee,
E. P. Campbell,	Jesse C. Gilbert,	O. D. McManama,
W. H. Chelf,	D. R. Haggard,	E. D. Standeford,
J. Q. Chenoweth,	H. S. Hale,	A. G. Talbott,
James F. Clay,	Thomas F. Hargis,	W. L. Vories,
Harrison Cockrill,	Edwin Hawes,	Ben. J. Webb,
Wm. L. Conklin,	G. A. C. Holt,	Emery Whitaker,
John E. Cooper,	John W. Johnson,	Thos. Wrightson—28.
J. H. Dorman,		

Mr. Sublett having received a majority of all the votes cast, was declared duly elected Sergeant-at-Arms of the Senate for the present

session; whereupon he took the oath as required by the Constitution and laws of the State.

The Speaker then announced that nominations for the office of Door-keeper were now in order.

Whereupon Mr. Dorman nominated J. B. Read as a suitable person to fill said office.

The Senate then proceeded to take the vote, which stood thus:

Those who voted for Mr. Read, were—

John S. Barlow,	W. McKee Fox,	Wm. Johnson,
R. A. Burton,	John J. Gatewood,	A. L. McAfee,
E. P. Campbell,	Jesse C. Gilbert,	O. D. McManama,
W. H. Chelf,	D. R. Haggard,	E. D. Standeford,
J. Q. Chenoweth,	H. S. Hale,	A. G. Talbott,
James F. Clay,	Thomas F. Hargis,	W. L. Vories,
Harrison Cockrill,	Edwin Hawes,	Ben. J. Webb,
Wm. L. Conklin,	G. A. C. Holt,	Emery Whitaker,
John E. Cooper,	John W. Johnson,	Thos. Wrightson—28.
J. H. Dorman,		

Mr. Read having received a majority of all the votes cast, was declared duly elected Door-keeper of the Senate for the present session; whereupon he took the oath as required by the Constitution and laws of the State.

Mr. W. W. Frazer, Senator elect from the 12th Senatorial District, and Mr. A. L. Martin, Senator elect from the 33d Senatorial District, appeared, severally produced certificates of their election, and took the several oaths required by the Constitution of the United States and the Constitution and laws of this State.

Mr. Dorman offered the following resolution, viz:

Resolved, That a committee of three be appointed to inform the House of Representatives that the Senate has met and organized, and is now ready to proceed to legislative business.

Which was adopted.

Whereupon Messrs. Dorman, Wm. Johnson, and Whitaker were appointed said committee.

And then the Senate adjourned until to-morrow morning at 10 o'clock.

WEDNESDAY, DECEMBER 6, 1871.

The committee heretofore appointed to inform the House of Representatives that the Senate had met and organized, and were now ready to proceed to legislative business, reported that they had discharged the duty assigned them.

A message was received from the House of Representatives, announcing that they had met and organized, and were now ready to proceed to legislative business.

On motion of Mr. Chenoweth,

Ordered, That a committee be appointed to inform the House of Representatives that the Senate had, on their part, appointed a committee, to act in conjunction with a similar committee to be appointed on the part of the House of Representatives, whose duty it shall be to wait upon the Governor and inform him that the two Houses of the General Assembly had met and organized, and were now ready to receive any communication he might think proper to make.

Whereupon Messrs. Chenoweth, Gilbert, and Darby were appointed said committee.

On motion of Mr. Wrightson, leave of indefinite absence was granted to Mr. Boyd.

A message was received from the House of Representatives, announcing that they had also appointed, on their part, a committee, to act in conjunction with a similar committee appointed by the Senate, whose duty it shall be to wait upon the Governor, and inform him that the two Houses of the General Assembly had met and organized, and were ready to receive any communication he might think proper to make.

After a short time, Mr. Chenoweth, from the joint committee, reported that the committee had discharged the duty assigned them, and were informed by the Governor that in a short time he would lay before the General Assembly a communication in writing.

In a short time, a message in writing was received from the Governor by Mr. Botts, Assistant Secretary of State.

Said message was taken up and read as follows, viz:

Fellow-Citizens of the Senate and House of Representatives:

In greeting you for the first time as the Governor of the Commonwealth, called by the partiality of her people to the discharge of Executive duties, I congratulate you upon the comparative prosperity of the State, and its exemption from many of the evils to which others less favored by Providence have been subjected. While in the interval since the adjournment of the last General Assembly war and internal strife have scourged a part of Europe, our own country has enjoyed peace—and while pestilence and famine have been the lot of some, health and plenty have blessed our land. In some of our sister States fires have desolated cities and fields, while to us a merciful Providence has extended His protecting care in this as in all things relating to our material welfare.

In other respects we have been equally favored. Our progress as a State has been steady and healthful. New avenues of trade and travel have been opened, and others are being successfully prosecuted to completion. Our schools have prospered, and the interests of education have been advanced under our recent enlightened and fostering legislation. Society is recovering from the pernicious effects of the late civil war, and there is a growing respect for law and a corresponding decrease of disorder. Our financial condition, as compared with that of the Federal or State Governments, is gratifying, and the burthens of taxation are not severe. It is, therefore, with unfeigned pride and gratulation that I greet you, and suggest for your consideration some of the matters which occur to me as of interest to you and the people.

STATE DEBT.

At the close of the fiscal year ending the 10th day of October, 1870, the entire State debt (exclusive of school bonds) was $1,424,394. On the 10th day of October, 1871, the close of the last fiscal year, the Commissioners of the Sinking Fund had redeemed and canceled, of that amount of outstanding bonds, $356,000—leaving a balance on that day unpaid of $1,068,394.

The bonds outstanding on the 10th of October, 1871, are described as follows:

Bonds past due	$5,394 00
Bonds maturing in 1871	59,000 00
Amount carried forward	$64,394 00

Amount brought forward	$64,394 00
Bonds maturing in 1872	226,000 00
Bonds maturing in 1873	439,000 00
Bonds maturing in 1874	8,000 00
Bonds maturing in 1875	20,000 00
Bonds maturing in 1876	2,000 00
Bonds maturing in 1894	141,000 00
Bonds maturing in 1895	162,000 00
Bonds maturing in 1896	6,000 00
Total	$1,068,394 00

The resources of the Sinking Fund on the 10th of October, 1871, to meet the indebtedness of that date, are as follows:

Balance in Treasury 10th October, 1871	$281,855 52
Amount belonging to Sinking Fund not transferred	157,715 12
Amount of balance of loan to Kentucky River Navigation Company	5,000 00
7,789 shares of Kentucky Bank stock	778,900 00
406 shares of Bank of Louisville stock	40,600 00
260 shares of preferred stock in Louisville, Cincinnati, and Lexington Railroad	26,000 00
2,178 shares of stock in Lexington and Frankfort Railroad, estimated at fifty cents	108,900 00
Bonds of Louisville and Frankfort Railroad	74,519 50
Stock in turnpike roads estimated at	254,433 96
Amount by revenue department, borrowed under several acts of the Legislature	728,570,63
	$2,456,494 73
Deduct outstanding debt on 10th October, 1871	1,068,394 00
Amount of excess of resources over debt	$1,388,100 73

It will be seen from this statement that I have not included in the estimate of the resources, to pay the outstanding indebtedness of the State, the balance due by the Federal Government for advances made during the war.

This balance, due on account of advancements, as shown by the books of the Third Auditor of the Treasury, as I am assured by the Quarter-Master General of the State, is $1,013,098 51, of which sum $525,258 72 stands adjusted by the accounting officers in the Treasury Department, but which has not yet been paid. Should these claims, or any part of them, be collected, the resources of the Sinking Fund will be increased to that extent.

REVENUE PROPER.

Amount received from sheriffs from 11th October, 1870, to the 10th October, 1871	$771,103 69
Amount received from corporations	221,972 94
Amount borrowed from Sinking Fund by authority of law	200,000 00
	$1,193,076 63
Amount of expenditures from 10th October, 1870, to 10th October, 1871	1,298,488 49
Deficit 10th October, 1871	105,411 86

To this deficit should be added unpaid claims against the Treasury for current expenses of the State, estimated by the Auditor at $75,000, and $181,063 33, unpaid appropriations, which swells the deficit on the 10th of October, 1871, to $361,475 21.

The total receipts for the fiscal year ending the 10th of October, 1872, are estimated at $983,028 03, and the total expenditures, estimated for the same period, exclusive of the amount owing to the Sinking Fund, is $1,269,500—leaving, according to these estimates of receipts and expenditures, a deficit in the Treasury at the close of the current fiscal year of $286,471 97.

And if additional appropriations should be made during the sitting of the present General Assembly, this deficit will be increased in that proportion.

That this deficit exists should not be a matter of surprise, in view of the fact that the necessary current expenses of the State have so largely increased since the war.

The necessary annual expenses of the several charitable institutions alone have, within this period, more than doubled. The whole amount expended during the fiscal year ending the 10th of October, 1865, for this purpose, including the cost of conveying pauper lunatics to the asylums, was $104,517 45; whilst the expenses of the same institutions during the fiscal year ending 10th October, 1871, amounted to $243,022 92; showing an increased expenditure for this one purpose, during the last fiscal year, over that of 1865, of $138,505 47.

In addition to this largely increased expenditure for necessary and indispensable expenses, the Legislatures have been compelled, in order to accommodate and supply the wants and necessities of these unfortunate classes of our population, to appropriate from time to time large sums of money. Within the period stated, $282,133 have been paid out of the public Treasury on account of these appropriations.

The increased expense on account of criminal prosecutions has also been very large. During the fiscal year ending 10th of October, 1865, the cost of prosecuting criminals, including jailers' fees, and rewards paid for apprehending and delivering persons charged with crime, was $86,080 18; whilst the amount paid for similar purposes during the fiscal year ending 10th October, 1871, was $192,002 88; showing an increased expenditure under this head of $105,922 70. These two items of increased annual expenses, with the appropriations aforesaid, aggregate, as will be seen, the sum of $526,561 17, being an amount largely in excess of the existing deficiency in the Treasury, less the amount owing the Sinking Fund for money borrowed.

This subject of recurring annual deficits in the Treasury was considered by the last Legislature. That body, recognizing the superabundance of assets belonging to the State, but dedicated to the exclusive purpose of paying the public debt, and seeing that the debt had been reduced to a merely nominal sum compared to its original magnitude, passed an act, which was approved 7th March, 1871, providing for the sale of those assets, and paying off the public debt, with the view that the excess of moneys—now set apart for sinking fund purposes—might be diverted into the Treasury, and thereby meet the deficiency. In pursuance of the provisions of that act, I appointed Hon. Lyttleton Cooke, of the city of Louisville, agent for the State, to buy in her outstanding bonds. He entered at once upon the discharge of his duties, and his report to me accompanies this message. It will be seen that he could most probably have bought in the entire bonded debt; but it was not deemed prudent to so direct, until it was known that the funds were ready in the hands of the Commissioners of the Sinking Fund to meet and honor his draft. The Commissioners of the Sinking Fund have not, as yet, sold any of the stocks of the State in banks, railroads, &c., referred to, and directed to be sold, in said act. Their report will show that they have made overtures to effect such sale, from time to time, since last spring, but have not been able to do so upon such terms as they thought they ought to accept. They are now engaged in negotiations which promise some success. If these stocks were all sold at their cash value, the amount produced, as is seen from the preceding statements, would be greatly more than enough to pay the public debt, and meet the wants of the Treasury. Until that is done, it is incumbent upon the Legislature to make other provisions to supply

existing deficiencies—a duty which I cannot too strongly urge upon you. Indeed, I regard it of paramount importance that the representatives of the people should not return to their constituencies without being able to say to them that they had provided the means necessary to liquidate every just demand against the Treasury, and thus vindicate the honor and credit of the State. It would be a just cause of reproach if you were to fail to do so, and a great wrong to those who hold claims against the Commonwealth. It is peculiarly within your province to determine the way and manner by which this deficiency is to be provided for; but I respectfully suggest that it may be done in one of three ways: First, by increasing the rate of taxation on the taxable property of the State for a limited time. Second, by increasing and equalizing the valuation of property subject to taxation. Third, by issuing the bonds of the State for an amount sufficient to raise the sum required.

The first two modes, however, in my judgment, are objectionable in this, that if either of them is adopted, the means which are needed *now* cannot be made available until the revenue of 1872 is collected and paid in, thus compelling a large number of the creditors of the State to wait twelve months for their money, which is now due; besides, since this provision need be only temporary, it would hardly be good policy to raise the people's taxes unless the exigencies were greater.

I therefore recommend that the Commissioners of the Sinking Fund be authorized and empowered to issue the bonds of the State for an amount—say five hundred thousand dollars—bearing a rate of interest not exceeding eight per cent. per annum, payable semi-annually, and due within five years from date, reserving, however, on the face of each bond, the right to redeem them in one year, on giving due and sufficient notice through the public prints. It is confidently believed, that, before these bonds would mature, the entire State debt (exclusive of the school bonds, which are not redeemable), will be fully paid out of the present resources of the Sinking Fund, and a surplus left in the Treasury amounting to nearly, if not quite, $1,500,000, provided the claim against the Government of the United States, for money advanced by this State during the war, be collected. And when the bonded debt of the State is paid off, it will then be within the power of the Legislature to divert the entire receipts of the Sinking Fund to the relief and in aid of

the Treasury, except so much of them as may be necessary to pay the interest on the school bonds.

The Auditor estimates that, after the bonded debt of the State is liquidated, and after all the stocks and bonds held by the Commissioners of the Sinking Fund, as a part of the resources of that Fund, are sold, and the proceeds applied to the payment of the State debt, and after leaving an amount sufficient to pay the interest on the school bonds in the Sinking Fund, there will be then left $250,000 accruing annually, which may safely and prudently be diverted into the revenue proper. This amount, added to the present resources of the revenue, it is believed, will be amply sufficient to meet all ordinary demands against the Treasury.

An act was passed and approved 22d March, 1871, entitled "An act to change the time for the payment of the revenue into the Treasury, and to amend the revenue laws." The effect of this act has already been to increase the embarrassed condition of the finances, by diminishing the receipts into the Treasury at a period of the year when money is most needed, and at the same time retarding the collection of the public revenue. The Auditor informs me that the receipts into the Treasury at the close of last month were $850,000 less than at the same period of time last year. The effect of this act is virtually to extend to the sheriffs and other revenue collectors time until the fourth Monday in June in which to pay into the Treasury the public revenue, inasmuch as no judgment can be taken against them until that time, there being no fiscal court earlier than that date. In my judgment this act is a serious injury to the financial interests of the State, without any corresponding benefit to the people. I therefore recommend its repeal.

The present system of assessment and valuation of the landed property of the State for taxation has been a subject of much thought and reflection with me, and demands most serious consideration at your hands. No system of taxation can be just without being equal, or as nearly so as practicable. It certainly is the wish of all the people of this State to be just to each other, and to have the burthens of taxation equally distributed. Yet this is far from being so. An examination of the Auditor's Report will show how unequal and unjust are the present assessed values of the lands of the State. In some few counties they seem to be valued full high,

whilst in a great majority of the counties they are assessed at an average rate not exceeding half their value. I most respectfully call your attention to this evil, and recommend that you pass some act which will secure its correction.

It will doubtless become your duty to make appropriations of various sums of money from the public Treasury during your term of office. I shall cheerfully co-operate with you in all proper and just appropriations, yet I urge the strictest economy in all such legislation; and I especially recommend that no bill be passed appropriating money without providing for its payment. The good old rule, "pay up as you go," applies as well in legislation as in private affairs.

THE CLAIM UPON THE GENERAL GOVERNMENT FOR EXPENSES INCURRED BY THE STATE IN DEFENCE OF THE UNITED STATES.

This claim, commonly known as the "Kentucky War Claim," has not as yet been paid. Proper vouchers to the amount of five hundred and twenty-five thousand two hundred and fifty-eight dollars and seventy-two cents ($525,258 72) have been settled and passed upon by the proper accounting officers of the Treasury of the United States, as required by the act of Congress, approved 27th day of July, 1861; and the Secretary of War drew his requisition for a warrant in favor of the State for that amount on the 30th day of June last. The Secretary of the Treasury of the United States declined to comply with this requisition, for the reason, as alleged by him, that the claim did not come within the provisions of certain rules adopted by his predecessor, which he did not feel himself justified in setting aside. It is to be regretted that the Secretary felt himself constrained to abide by the construction of the act of Congress, as set forth in these rules; but he has announced that his opinion, as given, "must be considered as the final disposition of the case, so far as the Treasury Department is concerned." Under this decision the only alternative left to the State was to appeal to Congress or the Supreme Court of the United States. The latter was adopted, and that tribunal now has the case under consideration. It is to be hoped that their judgment will be favorable to the State. Should it, however, prove otherwise, the only means left will be an application to Congress. As the claim is admitted to be just, and as the Secretary of the Treasury has only declined payment on account of what he conceived to be a proper regard to the rules adopted by his predecessor,

I cannot entertain a doubt but that the Congress of the United States, actuated by that spirit of justice and magnanimity becoming a great government, will speedily provide, by proper enactment, for the payment not only of the amount already settled, but for the entire claim.

SALE OF TURNPIKE STOCK.

The last Legislature passed an act directing the Commissioners of the Sinking Fund to sell the stock owned by the State in turnpike roads, but provided that they should first ascertain its probable value, and then that the sale should secure at least two hundred thousand dollars. In accordance therewith the Commissioners appointed an agent, whose report is now on file in their office, showing the proximate value of the stock. They have also caused advertisements to be published, and are endeavoring to effect the sale as the statute directs. A further communication on this subject will be laid before you within this session.

LAW AND ORDER.

That there has been, in certain localities within the State, a degree of disorder and a reckless disposition to disregard and defy the law, is a fact which requires consideration. Just what the Legislature can, or ought to do, to remedy this evil, it is difficult to determine. There are already upon the statute books of the State ample laws, with adequate penalties, for all crimes and misdemeanors. The difficulty lies not in the want of penal statutes, but in their enforcement. Upon both these points much unjust criticism has been indulged, toward both the Legislature and the civil officers of the State. The lawlessness has, in some instances, assumed an organized form, executing its violence and perpetrating its acts under cover of the night, by bodies of men too powerful to be resisted by the citizens, and so disguised that they cannot be recognized and brought to trial for their misdeeds; and thus are enabled to defy both the law and its officers. This state of things is to be deeply deplored, and should be corrected as speedily as possible. There is no safety to the public peace but in the observance and enforcement of law, and the whole power and force of the Commonwealth, if need be, should be exerted for the protection of her humblest citizen. The mob, when once aroused, does not discriminate between the innocent and

the guilty, and often, upon a bare accusation, hurries its victim to punishment without trial or proof of guilt. In such a state of things there is no safety for the life or liberty of any citizen, since the purest and most innocent may fall a sacrifice to the passions and prejudices of the hour upon a charge utterly wanton and malicious, preferred by some one who has the ear of the mob.

We can understand how the commission of an atrocious and revolting crime in a community may so outrage public sentiment as to provoke summary punishment by an infuriated populace. Such occurrences have existed in all nations and under all governments; and whilst they are to be deprecated, yet, being only occasional outbreaks, excited by the perpetration of enormous crimes, they do not threaten any serious or permanent danger to the peace and safety of the country.

But when men organize themselves into vigilance committees, clans, or leagues, or whatsoever other name they may assume, with the avowed or practical purpose of taking the law into their own hands, to inflict punishment upon any member of the community who may be obnoxious to them, they become themselves the most dangerous class of law-breakers; they have all the elements of a mob; *they are a mob*, and *a mob is no remedy for anything;* and, if acting in such unlawful combination, they inflict death upon any one, they and all who give aid, encouragement, or countenance to their act, are guilty of *murder*. It matters not how guilty or how heinous the crime of their victim, their crime is still murder. The number or respectability of those engaged in the commission of a crime cannot sanctify the deed or extenuate their guilt; but rather aggravates the offense, and intensifies the danger to the public peace. Not only the officers of the Commonwealth, but all good citizens, should feel it to be their solemn duty to discountenance all such lawless acts, and to bring their perpetrators to trial and punishment. Disorder ever tends to reproduce and multiply itself, and in its presence no right of the citizen is secure. Besides, the influence of the evil-doer in this case involves much more than insecurity and injustice to good and law-abiding citizens. To permit such outrages to go unpunished tends to impair among the people that reverence for the authority of law, which is the chief safeguard of society, and to destroy that confidence in the ability of Government to protect his life and vindicate his rights, which is the just foundation of the citizen's allegiance, and

strikes a blow at the fabric of State rights, resting as it does on the maintenance of law and order, which may be disastrous to our civil and political liberty.

In every instance brought legally to the notice of the Executive, all the means authorized by law have been employed to secure the arrest and trial of guilty parties. Rewards have been offered; requisitions issued; the militia ordered to render assistance in the arrest of criminals, and the public invoked by proclamation to discountenance the offenders, and aid in securing their punishment; and though acts perpetrated by such organized bands are decreasing in all sections of the Commonwealth, yet we cannot claim that they have entirely ceased. Whether any further legislation for their suppression is necessary, and if so, of what nature, is a matter for your deliberation and decision.

I will suggest that the *posse comitatus*, which is the only reliance of the civil officer for aid in pursuing and arresting offenders under the law at present, is not adequate to the emergency, in cases of the sort under consideration. Lawless bands are usually drilled and always armed; whereas, the *posse* are neither drilled nor armed, and hence are not prepared to encounter the offenders. To organize for duty companies of militia in localities annoyed by law-breakers is expensive, and has, when the experiment has been made, not proven efficient. There is too much machinery required to bring the ordinary militia organization into the field. Long before the necessary orders can be procured, and arrangements made for pursuit, the law-breakers have disappeared. I shall certainly "take care that the laws be faithfully executed;" but the powers and duties of the Executive in this regard are prescribed in the laws upon our statute books; and it will be seen that he is restricted, in the use of the militia, and in the offering of rewards for arrest, to the call of certain other officers. I recommend that you pass such additional laws as shall be necessary to more certainly reach the various forms of crime as it crops out at the hands of organizations and other evil-disposed persons, so much to the terror and shame of the people. I submit to your wisdom whether you should not enact some law imposing more stringent and severe penalties upon public officers for their failure and neglect to look after and enforce the penal and criminal laws of the State. It is apparent that there has been too much neglect in this regard. I also most respectfully suggest that you provide additional means by law for the capture and bringing to trial of offenders. Whether this

should be by the organization of a police force in each county, and such other localities needing it, or in some other way, your wisdom will determine.

I am profoundly impressed with the urgent necessity of something being done to effectually check and break up these disorders; and the people of Kentucky, in my opinion, demand and expect this Legislature to provide their officers with additional means to secure such desirable end.

I appeal to you, the honored representatives of a generous constituency, to provide a remedy for these evils. I feel sure that the people of Kentucky will, in their patriotic devotion to their country, their love of order and good government, and their keen appreciation of the honor of the State, not only approve your action in the premises, but welcome any burthen such legislation may render necessary.

CONFLICT OF JURISDICTION.

It cannot be doubted that much of the lawlessness existing among us has been provoked and aggravated by the unwarranted interference of Federal authority in our local affairs, and its intrusive assumption of jurisdiction in administering the laws of this Commonwealth. Under this assumed jurisdiction, citizens who had been arrested and held for trial by the State tribunals for offenses against colored persons, have been seized by Federal officers, taken to distant points, and deprived of the right of trial by a jury of the vicinage, and the parties subjected to great annoyance and expense, and sometimes to onerous and unreasonable penalties. The fact that offenses against only one class of our population are brought before that court, leaves an impression upon the popular mind that the Federal jurisdiction is asserted and enforced only for the purpose of aggravating the prejudices between the races, and promoting the interests of party. I am constrained to believe that this condition of things has tended to produce much of the lawlessness which still disturbs the good order of society in our State.

Already a case is pending before the Supreme Court of the United States, in which the question of the jurisdiction of the Federal Court in the class of cases alluded to is involved, and it is to be hoped that a decision will be reached at an early day, and that it will be such as to remove this cause of irritation.

Even if it is conceded that the right of jurisdiction claimed by the Federal Court is strictly constitutional, still the exercise of that right

would be more than injudicious—it would be mischievous and productive of evil. The fact that it discriminates between the two races, favoring the negro and oppressing the white man, would be a constant source of trouble. If a white man is charged with a capital crime, committed against a negro, it wrests him from under the authority and protection of the sovereign and independent State of which he is a citizen—if, indeed, sovereignty and independence can be predicated of a State in such a case—deprives him not only of the benefits of its statutes, but of his rights at common law, such as his right of trial by a jury of his vicinage, incarcerates him in a distant prison among strangers, away from sympathizing friends and the facilities of proving his innocence, which his own neighborhood would afford him, and with the testimony of a worthless negro weighing down that of the most trustworthy of his own race. Can you wonder that, to the high-spirited and justice-loving citizen of Kentucky, a court, otherwise honored, should, in the exercise of such jurisdiction, become as odious as ever the Star-Chamber was to the friends of liberty in England? Again, such jurisdiction, whether intended or not—and if intended, a viler purpose never dishonored the legislation of a nation—will tend inevitably not only to widen the breach which nature has made between the races, but to array two classes of citizens in permanent political antagonism. Whatever honest difference of opinion upon questions of Federal policy may have in the past divided our citizens into Federalists and Democrats, Whigs and Democrats, Know-Nothings and Democrats, Republicans and Democrats, all have felt proud in calling themselves citizens of our noble old Commonwealth. All have been zealous in defense of the rights, the interests, and honor of their State. But we have reason to fear this will not be so with the negro under the political tuition he is now receiving. The very existence of a Federal court, exercising special jurisdiction in his favor, coupled with other Federal measures, will serve to impress upon him a lesson which he has already received from his teachers, that he holds his civil rights as a "*Federal citizen*," not as a citizen of Kentucky. Once thoroughly imbued with this lesson, he will pride himself in being a citizen, not of this Commonwealth, but "of the nation"—nay, absurd as it may sound, of *the Federal Government*. The rights and interests of the State will be as nothing, and less than nothing, to him, and he will be a willing tool, ready and prepared when the struggle shall come, for subverting the rights and liberties of the State, and laying them at the feet of a usurping central power.

This conflict of Federal and State jurisdiction will, sooner or later, if not remedied, produce the most serious consequences. I have been unable to find in the Federal Constitution any grant of power to the General Government which would authorize the punishment, by Federal authority, of breaches of the State laws. We have a State law denouncing the penalty of death against one citizen for murdering, within the State, another. So have we State laws punishing assaults and batteries, affrays, &c., committed within the jurisdiction of the State. If Congress has passed any law punishing these offenses, when committed within the jurisdiction of the State, it is certainly without warrant of the Constitution. It was never designed by the framers of that instrument that the local police of the States should be assumed by the Federal power; and the fact that this, in a great measure, is now being done through the instrumentality of the Federal courts and the military, is cause for the greatest apprehension and alarm for the safety of our institutions. Those who are responsible for these unwarranted assumptions of power have attempted to justify them on the ground that the State is unable, through her officers, to suppress crime and enforce the laws. This charge against the State is untrue; and if left to herself, and not interfered with, she would soon suppress the law-breakers, and secure as perfect order as we ever had. It is well known that our State, in common with all her sisters, reaped her share of the lawlessness and desperate characters engendered by the late civil war; and that outbreaks and violations of law have resulted in the last few years from the great number of this class in all the States; but that this should justify the displacement of State jurisdiction, and the setting up an unwarranted Federal power in its stead, is preposterous. We must not, however, allow this assumed interference in our local affairs to silence or lessen our efforts to capture and bring to punishment all violators of law and good order in our State.

TESTIMONY.

Whilst domestic slavery existed among us, it was deemed necessary and expedient to enact laws discriminating in favor of the dominant race, and restricting the rights of the slave. Such are the laws which still remain on our statute books, imposing restrictions on negro testimony. That this legislation was due mainly, if not solely, to the relation of the two races as master and slave, and that

the incompetency of the negro to testify was regarded as simply a legal and statutory, and not a natural disability, is clear, from the fact that in civil and criminal actions, wherein his own race alone was interested, he was recognized by law as a competent witness. With the abolition of African slavery the reason of the law on this subject has ceased, and from whatever motives of prudence these statutes have been retained hitherto, I think the time has arrived in which their repeal is required, both by justice and expediency. The late amendments to the Constitution of the United States, however wrongfully obtained, and the Congressional legislation under them, have not only emancipated the negro, but invested him with, and he is now in the actual enjoyment of, both civil and political rights.

We feel indignant and abhor the manner in which these amendments were adopted, and have no sympathy or countenance of approval for very much they contain. And whilst we regard some of the legislation of Congress, claiming to be in pursuance thereto, as outrageously unconstitutional and oppressive, and feel determined, with firm tenacity of purpose, to rest not until, in a legal and proper mode, they, the amendments and legislation, are repealed or modified by judicial interpretation or otherwise, so as to harmonize with free government—still, we are bound to recognize and give effect to these amendments and this legislation, until so repealed or changed, as the supreme law of the land. Moreover, our own laws have recognized the negro as a citizen; and I am satisfied that, so fixed is the public sentiment of Kentucky upon this point, no political party will be able, nor will any considerable number of our citizens ever desire, to call in question his right of citizenship.

A a citizen, therefore, with all the avenues of industry open to him, competent to hold and convey property, to incur the obligation of contract, to sue and be sued, plead and be impleaded, in all our courts, the law should secure to him the amplest protection of those rights which it has conferred upon him. In declaring the legal competency of negro testimony, however, we are not bestowing a franchise on an inferior race, but doing an act of justice to the whole community. The question to be considered is not, Shall the negro have the right to enter the witness-box; but this: Shall a citizen, shall any person, whose life, liberty, or property is in jeopardy by judicial proceedings, or shall the Commonwealth, prosecuting the claims of justice, have a right to arrive at all the facts of a case—

summoning, if need be by compulsory process, to the witness-stand, all who have knowledge of those facts, and are rationally competent to state them? No right has been held dearer at all times and more jealously guarded than this, by all English-speaking people.

The common law, as given by Blackstone, teaches us that "all witnesses, of whatever religion or country, that have the use of their reason, are to be received and examined, except such as are *infamous*, or such as are interested in the event of the cause. All others are competent witnesses, though the jury, from the circumstances, will judge of their credibility." The exigencies of slavery made it necessary and proper for the public welfare to declare, by statute, that the testimony of a negro, however valuable and trustworthy, should not be received in legal proceedings against a white man; but that the State should continue to prohibit to its courts the use of such evidence, often highly important, and even essential to the due administration of justice, when the necessity which justified such prohibition no longer exists, is, to say the least, very impolitic. We must bear in mind, also, that this state of things will not only often tend to defeat the claims of justice, but furnish a pretext for perpetuating that conflict of jurisdiction between the Federal and State courts which is so irritating to our people. Moreover, there is diversity of ruling in our State courts on this subject. Able and conscientious judges have felt compelled, under their interpretation of the amendments to the Federal Constitution, to declare the laws of this Commonwealth, restricting negro testimony, null and void; and have accordingly admitted that class of testimony in their courts, contrary to the statutes. Other judges of equal ability and integrity enforce the provisions of these statutes, and exclude negro testimony; and thus the same uniform rule upon this subject does not prevail all over the State. However much this diversity of judicial decisions, in a matter of such grave importance, is to be regretted, it is, perhaps, inevitable, and uniformity can scarcely be expected so long as the legislation in question remains upon our statute books.

It has been objected that, by admitting the negro to testify, we will greatly increase the number of worthless witnesses in our courts. This is no doubt true; just as by granting universal suffrage, even to the white population, the number of pliant voters at the polls is greatly increased. Yet, in either case, it would be folly to take away the right because it is liable to abuse; with this difference, however, that

17880

suffrage being a political franchise, the State may grant or withhold it as seems best for the public good, whilst to have the benefit of competent testimony is a civil right, founded on natural equity, sacred and indefeasible, which cannot be justly denied to any person. Besides, the abuse of the witness-box is provided with a remedy which that of the ballot-box has not. Votes do not vary in value; testimony does. Ballots are merely counted; evidence is weighed. The judge decides upon the legal competency of a witness; the jury judges of his intellectual and moral competency—his credibility; and often, when a score of witnesses have testified in a case, the evidence of two or three of them, of superior intelligence and character, has determined the verdict. It is a popular apprehension, that if we admit the negro to testify in the courts, we will be led to recognize his competency also as a juror. Did I believe that the adoption of this measure could have such a result, I should cease at once to favor it; for the wrong thereby inflicted upon the interests of public justice, in my opinion, would more than counterbalance all the benefits that might be derived from unrestricted testimony. Not only is the freedman, in his present condition, utterly incapable of discharging aright the duties of such a trust; but, I am convinced that, whatever culture may do for him—how great soever may be his intellectual and moral improvement in the future—the difference of race and color, with the inveterate prejudices attached to them, will indelibly mark him as belonging to a distinct and inferior caste; and no people of Caucasian birth will voluntarily intrust him with such jurisdiction over the life and fortunes of a citizen.

There is no cause for apprehension. The rights are distinct, and rest upon different principles. There is no parity of reason in the two cases, and all codes of jurisprudence have placed their claims upon different grounds. When a person under our law is indicted for a capital offense, a minor, a woman, a man who is not a householder, a foreigner, and, if the accused is of his own race, a negro, are competent witnesses in the case; but none of them can enter the jury-box. A lad of fourteen may give a clear, intelligent statement of facts which may determine the verdict of the jury; yet he would be utterly incompetent as a juror to represent the awful majesty of the law, and the public justice of his country, to judge of the law and evidence, and render a decision touching the life of a fellow-being. The laws of most nations, ancient and modern, go beyond ours, and require additional qualifications in those intrusted

17880

with the duties of so solemn and responsible an office, carefully providing that no one indicted for felony shall be tried by those who are not, at least, his peers; and to subject any person to trial by jurors of an inferior race would not be sanctioned, either by natural equity or any laws found in the codes of civilized nations.

Satisfied, therefore, of both the wisdom and justice of the proposed measure, I earnestly recommend that an act be passed declaring the legal competency of the negro as a witness, subject only to the same restrictions as all other citizens, and repealing all laws on our statute books which are in contravention thereof.

I recommend also that you pass a law, with proper restrictions and limitations, extending our rules of evidence, so as to allow parties to civil actions, and all interested in the issue, to be competent to testify as witnesses upon the trial. This has been found to work well in the courts of the United States, in England, and in many of the States of this Union, and I believe it will facilitate the ends of justice, and be found to be an improvement on our own system.

EDUCATION.

The report of the late Superintendent of Public Instruction, and the suggestive report of the present incumbent, will call your attention to the very gratifying and hopeful working of the educational department of the State. It will be seen that they both recommend various changes and improvements in the present laws—in many of which I doubt not you will heartily concur. I trust you will give this subject your careful consideration, and provide every facility necessary for the acquisition of knowledge to the youth of our State. There is no subject upon which you are called to legislate of more importance to the public welfare, and which should excite a more earnest interest in all who love their country and their kind. The stability of our free institutions, and the good order of society, rest upon the virtue and intelligence of the people, to the promotion of which nothing except religion, which is beyond the sphere of your authority, can more efficiently contribute than a wise and thorough system of popular education. The cheerfulness with which the people have voluntarily assumed the burthen of taxation in support of a system of State education, is an assurance of their deep interest in this matter, and of their hearty sympathy with you in all measures which are necessary to its success.

The taxes heretofore imposed upon the colored people for the education of their children were, by an act of the last Legislature, taken off; and for the year 1871 that portion of our population paid taxes upon their property only for revenue purposes of the State, and there is now no law upon our statute books providing for the education of that people. I recommend that you pass an act setting apart all the revenue taxes which shall hereafter be collected by the State from the property of colored people, after paying expenses of collection, as a fund to be used exclusively for the education of their children; and I suggest that you provide such increase of their taxes as will be reasonable for that purpose, and enact such laws in reference to establishing and carrying on schools for their children, at their own expense, as will be just and beneficent. This beneficence and liberality upon our part toward that weaker and dependent element of our population I feel to be just, and will promote the best interests of the State.

INSURANCE BUREAU.

The Insurance Bureau, organized in June, 1870, under an act of March previous, is now in successful operation.

By the terms of the law, it is made the duty of the Insurance Commissioner to require annually, of every company doing insurance business in this State, a detailed statement of its affairs for the year ending on the 31st December. This statement is to be made by the companies to the Commissioner within sixty days after the expiration of the year. The Report of the Insurance Commissioner, giving an outline of the method of calculating the net value of life insurance policies, and an abstract of the annual statements of the companies for the year 1870, has been printed, and will be laid before you. The whole number of insurance companies now doing business in this State is 128. Of this number, 15 are organized under the laws of this State, 108 under the laws of other States of the Union, and 5 under the laws of foreign countries. Of the whole number, 41 are life and 86 are fire and inland, and 1 accident insurance. Of the 15 Kentucky companies, 13 are fire and inland, and 2 are life companies. The amount insured upon property by the Kentucky companies on 31st December, 1870, was $35,467,872, and upon lives it was $9,827,062.

The whole amount insured upon property by companies other than those of Kentucky doing business in this State was $4,158,-

720,804, and upon lives the amount was $1,816,300,146. The total amount insured upon property and lives by all the insurance companies doing business is this State on 31st December, 1870, was $6,020,315,884 The total of premiums received for insurance upon property in Kentucky by Kentucky companies, during 1870, was $474,088. Losses incurred by them during the same time amounted to $162,562. By other than Kentucky companies the premiums received during the year for insurance on property in Kentucky, so far as reported, amounted to $510,110. Losses paid, $346,083. The total premiums received for insurance upon lives in the State, by Kentucky companies, during the year, $266,406. Losses incurred during the year, $81,980. By other than Kentucky companies, the premiums received in 1870 for life insurance in Kentucky amounted to $1,184,063; and losses paid, as far as reported, $246,002.

The expenses of the Bureau, from the time of its organization in June, 1870, to the end of the fiscal year, October 10, 1871, amounted to $25,609 49. The fees and total income for the same time amounted to $23,334 35—showing a deficiency of $2,275 14, which sum must be made up either by fees received after that date or by assessment on the insurance companies; because the law provides that in no case shall any part of the expenses of the Insurance Bureau become a tax upon the people or the property of the State. I heartily concur with my predecessor in regard to the importance of the general insurance laws, and the advantage that must arise therefrom without tax to the people of the State. The insurance companies pay all the expenses; they are largely interested in having this supervision wisely administered, and have expressed entire willingness to pay for the service rendered. When the general insurance laws were passed, the designation of the salary of the Commissioner was somewhat an experiment, because very few persons in this State were at that time aware of the nature of the business it was proposed to regulate and control, or the qualifications necessary for the proper administration of the laws. I have reason to believe that those companies fully appreciate the magnitude of the duties of the office, and are willing that the Commissioner of Insurance shall be paid by the State, out of fees collected from them, a salary commensurate with the importance of the work to be done.

I respectfully call your attention to the proceedings of the Convention of Insurance Commissioners, held in the city of New York, in

May and October of this year. I feel assured that the Legislature of this State will take special notice, and accord full consideration, to the action of that Convention, in which twenty-nine States were represented. It is believed that these conventions have already produced great benefit to all interested in insurance, either as shareholders or policy-holders. The published proceedings show that Kentucky was ably represented in the convention by the distinguished gentleman, General Gustavus W. Smith, who organized the Insurance Bureau, and who now holds the position of Insurance Commissioner of this State.

The insurance law authorizes the payment of the sum required to procure "actuarial assistance necessary to the discharge of all the duties devolving by law on the Bureau or the Commissioner." I have the pleasure of congratulating the people of Kentucky upon the fact, that one of our own native-born Kentuckians, the present Commissioner, has, by his own knowledge, been able to thoroughly organize this office without having to send abroad for actuarial assistance, and that to him the community is indebted for a clear and intelligible exposition of a subject which has been hitherto regarded as a kind of cryptic science, which only the initiated professional actuary could comprehend. The present salary of the Commissioner, it is well known, would not be sufficient to command the services of a first-class actuary. I therefore recommend that the compensation of the Insurance Commissioner be increased to an amount more in accordance with the vast interests he is appointed to guard, and the high special qualifications undoubtedly required in order to properly perform the duties of such an important office.

QUARTER-MASTER GENERAL.

The report of the Quarter-Master General will exhibit to you the condition and workings of that office for the past year. This office, in the commencement of the late war, was a mere honorary sinecure, held by persons unacquainted with the forms and returns necessary to a well-arranged, thoroughly systematized office. The war coming in all its magnitude, found it without the most ordinary appliances for a proper record of its transactions. The vast amount of labor required of it under the most urgent necessity, gave no time for inaugurating such a system as is indispensable in keeping such a record, hence many of its most important acts were committed to mere memoranda, leaving proper entries to be made at some future

day. This condition of things necessarily engenders great confusion, and involves often a laborious search and tedious delay in supplying information important to the State or to her citizens. Sometimes such information cannot be found at all; yet it ought to be, and perhaps is, in the office.

A thorough organization of the office is needed for the preservation of its records, and above all, that the transactions and business of the office be set forth in a practical, tangible manner. Besides the claim made out and presented heretofore against the Government of the United States, and which has been, and is being, pressed for payment, there is due to this State for ordnance account a sum amounting to about two hundred thousand dollars, the vouchers for which should be made out and arranged for collection, and that duty will devolve upon the Quarter-Master General. In view of that important service, and the general necessities to the State of the office, I recommend that it be continued on its present footing, and that its incumbent be directed to thoroughly organize and put the books, papers, and records appertaining thereto in good order and condition.

ADJUTANT GENERAL AND MILITIA.

I refer you to the report of the Adjutant General for full information in reference to that office, and urge you to give its suggestions and recommendations your serious consideration.

The militia law of 1865, with a very few changes and amendments, will give us a reliable and efficient militia force. Let the officers be selected with care, choosing only such persons as will bring ability and zeal to build up such organizations as the State would take pride in, and would cheerfully cherish and sustain. The members of such a force should, on the one hand, be distinguished by certain privileges and immunities that would dignify and honor the organization. On the other hand, in return for these privileges, they should be held to a rigid discharge of their duties, and the law should uphold and sustain the officers in enforcing discipline. But above all, this force should be constantly looked after and encouraged by the higher and chief officers of the State.

There is in the Treasury quite a sum of money set apart for military purposes. The fines which might be exacted as one of the means of enforcing discipline would furnish enough to defray all necessary expenses, which need not be great. We do not need the elaborate, expensive systems maintained by the Northern States, but

only a small force in the larger towns, cities, and densely populated districts—a force under such discipline as will make it a reliable and efficient aid in the enforcement of law, and at the same time serve as a valuable nucleus for the full organization of the military force of the State, when needed in case of war. I earnestly call your attention to this subject, and submit that you either blot out of existence the sickly system we now have, or put it upon such a footing as will reflect credit upon the State.

DEAF AND DUMB ASYLUM.

The reports from the Superintendents and others having charge of the charitable institutions of our State will be laid before you at an early day, and will furnish you with full information of their progress and condition.

The Deaf and Dumb Asylum, situate at Danville, dates as the fourth institution of its kind founded within the United States, and is now in the 48th year of its existence—having been established under the recommendation of Gov Desha, in 1823 It was the first educational asylum established by the State, and amply has the result of its labors repaid the public beneficence which created and has so liberally fostered it. Among all those missions of mercy by which the compassion of Christian charity has sought to relieve the unfortunate of our race, none have had a nobler aim, or been rewarded by a more complete and gratifying success, than that which has so patiently striven, in the spirit of the Divine Master, to cause, as it were, the deaf to hear and the dumb to speak.

By what money value shall we estimate the benefits which our asylum at Danville has accomplished for this unfortunate class of our fellow-citizens? Rescuing the deaf-mute from a life of blank isolation; introducing him to the conversation of his kind; fitting him for useful employment and the discharge of social duties; unsealing for him the fountain of knowledge; revealing to his mind the secrets of nature, the history of his race, the achievements of thought, and, above all, the idea and knowledge of God.

Since its foundation, this institution has educated and sent out four hundred and eighty-five deaf-mutes, male and female, prepared to be useful members of society, and has at present eighty-one pupils under its tuition. It is a gratifying fact, and speaks well both for the healthiness of its location and the sanitary regulations of the asylum, that during its existence of forty-seven years, only nine deaths have occur-

red among its pupils. That its affairs have been managed with great economy is shown in the fact that, whilst our neighboring State, Ohio, has within a few years expended six hundred and sixty thousand dollars in the purchase of lands, erecting buildings, and furnishing its asylum, our noble charity has cost us in this respect, from its foundation to the present time, only about thirty-seven thousand dollars, and that the cost of boarding and tuition for a pupil—one hundred and forty dollars in our institution—is not more than half of the average cost in the asylums of the principal States of the North. You will see from the report of the Commissioners that they solicit an increase in the annual appropriation to the asylum. I regard the request as moderate and reasonable, and heartily recommend that the increased appropriation be made.

SCHOOL FOR FEEBLE-MINDED CHILDREN AND IDIOTS.

This worthy State charity was organized in 1860. At the time of its organization there was a distrust in the public mind of its success. It was one of the results of an advanced Christian civilization, and its success has been equal to the most sanguine expectations of its warmest friends. Popular prejudice, in a great measure, has given way, and a healthy public sentiment has been created in its behalf. The report of the Superintendent presents an array of facts not to be ignored, and demands your serious consideration. Much has been done for this unfortunate class of our population, and with the continued fostering care of the State, may we not confidently hope for still greater results? The Superintendent desires that you shall each, by personal examination, satisfy yourselves of the improvement of a large majority, if not all, of the children in the school. The suggestions made by him in reference to improvements, &c., I trust will receive your attention as their importance may demand. The fidelity and zeal with which he has discharged the important trust committed to him, are fully attested by the Board of Commissioners.

Let us not forget the injunction, "Comfort the feeble-minded," for we know not how soon our own loved ones may need the fostering care of this institution.

INSTITUTION FOR THE EDUCATION OF THE BLIND.

I have not yet received the report of the Trustees of this Institution, but have no doubt that, when laid before you, it will show that usual steady growth in interest and success which has so encour-

agingly marked its history heretofore, and so deservedly distinguished it as one of the chief wards of the State.

LUNATIC ASYLUMS.

The State of Kentucky, actuated by a spirit of Christian philanthropy which has always characterized her people, has already erected, and is now maintaining, two Lunatic Asylums. These institutions have been, and are still, accomplishing great results, but are now full beyond their capacity, and patients cannot be received by them, except as vacancies in their wards occur by the removal of those now there. Yet there is a large and constantly increasing number of insane persons, who are still unprovided for, and who must remain so under existing circumstances. My information is that there are, at this time, from one hundred and seventy-five to two hundred and twenty-five of these unfortunate sufferers in the State, besides those in the Asylums, and many of them, from the necessity of the case, are confined in the common jails—the associates of felons—others are at large, in a condition rendering them dangerous to person and property, and a source of constant terror to the community and to their friends. It has, therefore, become to be a pressing necessity that further provision for the insane should be made; and, in view of this necessity, some action is demanded upon your part to prevent damage to the public and suffering to the afflicted. There are duties that sometimes devolve upon a Legislature which cannot be ignored without resulting in harm to the public, as well as to individuals. In all Christian communities the "insane poor are the wards of the State," and as such, demand earnest efforts in their behalf. From the quiet discharge of their obligations to the community, the asylums of the State, perhaps, do not occupy that prominent place in the public estimation that their usefulness demands. No good reason can be given why our own State should not stand among the foremost in the march of political and Christian civilization, and I feel it incumbent on me to urge upon you to do all that seems necessary to ameliorate the pitiable condition of the insane, and especially everything that can minister to their recovery. It is well understood by all who have given attention to the subject, that insanity is much more successfully treated in asylums than elsewhere, by reason of the advantages that cannot be commanded in any establishment which is not especially designed for the insane.

The financial interests of the State are protected by affording speedy facilities for the treatment of all. The outlay for this purpose at first may be considerable; yet no investment that can be made of the public money can yield so large a return. As evidence of this fact, I quote substantially from a report of one of our own asylums: "The importance of early hospital treatment has been frequently urged in the reports from this institution. In an economical point of view, the results of the past year are very impressive. Of the seventeen recoveries, fifteen were recent cases, and the average time spent was about four months. Of the whole number of deaths, one only was a recent case, leaving sixteen who had been insane more than one year prior to admission. The average time spent in the asylum by those who died was rather more than six years; the fifteen recent cases cost the State in the aggregate $750. On the other hand, the chronic cases cost, at the same rate of support, $900 each, or $14,400 for the whole. These statistics, I am informed, find their parallel in the history of most, if not all, the well-ordered asylums in the country." Add to this, also, the fact that the fifteen persons placed under treatment at an early period of their attack were restored to their families and to usefulness, and no one can fail to see that economy demands such provision for the insane as will insure early treatment for all who may require it.

Who can say of the great number that have been denied admission into the asylums during the past year, for want of room, how many will become permanent burdens upon the public Treasury? while, with timely care they might have been restored to reason, and have resumed useful positions in life. There are now in the Eastern Lunatic Asylum 552 patients, which is from 150 to 200 above the proper capacity of the buildings; and in the Western Lunatic Asylum 360, which is the full capacity of that institution. The experience and concurrent testimony of all the able and most successful conductors and superintendents of such institutions is, that no institution should ever have a number exceeding five hundred. The increasing ratio of our population, and consequent probable increase of this affliction among our people, coupled with the many we now have who are unprovided for, indicate to my mind that our path of duty is to make provisions, by law, at the earliest day we can, for the purchase of ground and erection of suitable buildings for a third lunatic asylum in our State, and I recommend that it be done.

An evil has, of late years, invaded these asylums, to which I call your attention. It is, that desperate criminals sometimes, upon their trials in court, succeed in evading a more severe punishment for their wrongs, and, upon the idea of "moral insanity," are sent to one of the humane institutions of the State. It is no fit place for that class of men, and provision should be made to protect them against such abuse.

GEOLOGICAL SURVEY.

A geological survey of the State was commenced in 1854, and continued until 1859, under the direction of Professor D. D. Owen. The work was diligently and skillfully prosecuted by that distinguished geologist and his able, scientific assistants, the result of whose labors are embodied in his reports, and are of great value; but in the time, and with the means at his command, little more could be accomplished for a great part of the State than a geological reconnoissance Much, also, of this time and means was consumed in correcting the geography of the State, which at that time was very imperfectly and erroneously mapped, as a necessary preliminary to an accurate geological survey. Much more, therefore, must be done to complete our acquaintance with the physical geography of Kentucky. Accordingly my predecessors have, at different times, called the attention of the Legislature to the subject, and recommended a further prosecution of the detailed survey. I earnestly renew this recommendation. We can hardly estimate the influence which the completion of such an undertaking will exert upon the fortunes of our people.

I am satisfied that accurate and generally diffused information, such as science is able to give us, concerning the vast natural resources of our State, will form the starting point of a new era in the industrial progress and prosperity of the Commonwealth. A complete and detailed geological survey will have for its object not only to ascertain the correct geography, construct an accurate topographical map, and describe the various geological formations of the State, with their contents, but to encourage and direct enterprise and industry by supplying them with information of the highest practical value. It will be its duty, for instance, to designate the productive and non-productive coal-fields, ascertaining the dip and identity of coal measures; to distinguish the different ores of iron and other metals, with the comparative value of each; to point out in the sev-

eral localities the facilities for mining operations; to analyze the various soils, suggesting the crops for which they are best suited; to describe the varieties and quality of building stones, as also of other useful rocks, minerals, and mineral springs; to make us acquainted, to some extent, with the fauna, and more minutely with the flora, of each region, and especially with the varieties of valuable timbers contained in our forests; and to indicate the routes by which all this natural material wealth may be made most accessible, furnishing facts which may be made available in constructing railroad lines and in slack-water navigation.

With such information, enterprise will no longer be discouraged by the remembrance of disastrous failures attributable to the want of such knowledge. Capital, industry, and skill, assured of rich rewards for their efforts, will soon find the key to those treasures now locked up in our mountains and forests; legislation will be stimulated, instructed, and intelligently directed to comprehend these interests in all schemes of internal improvements, and a desirable immigration will be induced to flow into regions now almost a wilderness. Then it will be no longer matter of shame to a citizen of Kentucky that, with the two greatest coal-fields of the world traversing our State, with the richest coal measures west of the Pennsylvania anthracite; with inexhaustible beds of ore, producing the best quality of iron; with unlimited supplies of the finest building stone, and rocks useful in the arts; with salines able to furnish salt not only for home consumption, but for exportation; and with every variety of the most valuable timber, we are still dependent upon other and distant States for the supply of all these materials and the articles manufactured from them, when at half the cost, these very necessaries of life, more abundant in quantity and of superior quality, are to be found lying around our doors.

With this realization of our natural advantages, not only will agriculture be improved, the treasures of mine and forest developed, and manufactures created and sustained, but millions of acres of our mountain lands, admirably adapted for grazing purposes, now scarcely worth their taxes, will be covered with countless herds and flocks, forming one of the greatest sources of our wealth. That such anticipations are not dreams, witness the rapid growth and prosperity of much younger States around us—States which, within the memory of the living, some of them within the recollection of our children, were a pathless wilderness, inhabitated only by wild

Indian tribes; and although other causes may have discriminated in their favor, I feel assured that a principal reason for this disparity in progress is found in the fact, that, whilst attention has been earnestly invited to the resources of those States, our own superior natural advantages have been unknown in a great degree, both to our own citizens and the world. Nor should we forget how much such a survey will contribute to scientific research, and serve to extend the boundaries of knowledge—an interest to which no enlightened people can be indifferent—by furnishing new and valuable facts to the student of natural science.

REGISTRATION.

I would call your attention to the fact that there is at present no law on our statute books providing for the proper registration of births, deaths, and marriages. I recommend that an act for this purpose be passed, requiring in each case a detail of such accompanying facts as may be of statistical value. The information thus furnished will not only interest the student of general statistics, but will be of especial importance to the physician and actuary, and, through its bearing on the sciences of medicine and life insurance, of great practical value to the entire community. Claims to inheritance, also, may often depend on the evidence which such records would afford.

FISH CULTURE.

The supply of fish in our waters has been for many years notably and constantly diminishing. There has been not only a decrease in production, but entire species have nearly, or quite, disappeared from many streams. It is a matter of no small concern to our population that a wholesome article of food, once abundant and cheap, has not only become scarce, but is to be reckoned amongst the costly luxuries of the table, its supply for a considerable portion of the State coming from the distant lakes bordering on Canada.

The acts which have, from time to time, been passed for the protection of fish in certain streams, or parts of streams, have, perhaps, more frequently been designed to secure sport for the angler than to increase the supply of food. And if, indeed, it be true, as asserted, that the principal breeding places of fish are to be found near the sources of rivers, and that most species of fish are migratory, with no fixed locality, ascending and descending the water-courses at certain seasons, then to protect merely one or more sections of a stream

will accomplish but little for the preservation of its fish. A general law for this purpose might be advisable, extending its provisions to all the rivers of our State and their tributaries. But shall we stop here? It is a question worthy of your serious consideration whether, in addition to prohibitory laws, measures should not be adopted to secure both the increase of production and the introduction of new species of fish in our streams. The art of promoting the propagation and nurture of fish has recently attracted great attention in England and in this country. The Federal Government, and many of the States, have legislated upon the subject, and appointed commissioners intrusted with its interests; and some successful experiments have been made by private enterprise in our own State. The uniform success in all these experiments has been such as to encourage further efforts. Should you deem it inexpedient to legislate on this subject at present, still a thorough investigation of it, and a careful report by a committee, would, I am convinced, furnish facts interesting and valuable to the public.

IMMIGRATION.

The greatest and most important wealth of a community is its citizens. If, from any cause, its numerical standard is reduced, not only its physical power is curtailed, but its prosperity begins to droop. In view, therefore, of its special prominence, this question should receive the most careful investigation and the most liberal treatment. Hand in hand with the development of our internal resources a wise system of encouragement to immigration within our borders is the most essential feature of true progress. There can be no thorough enlargement of our wealth or influence without the necessary accompaniment of intelligent and skilled labor. Under the old system we have been content to deal with those elements in our midst, left to us by our fathers as their legacy. The changed order of circumstances imposes new obligations upon us, and relieves us, perhaps, from embarrassments which we might have found eventually to be a heavy burden.

One principal element of our laboring population in the past decade was a mere machine performing stipulated tasks, but divested of that higher order of cultivation which enables its possessor to continue operations, even when the directing mind is withdrawn from active supervision; and, as we are suffering from the temporarily damaging effects of the destruction of our labor

system, it is the part of wisdom to look back carefully at its defects, and, whilst filling the vacuum, to improve all those elements of power, of wealth, of Christianity and morality, summed up in that State action which advances the social and intellectual condition of the laboring classes.

These truths will be so readily acknowledged that their discussion is unnecessary. Therefore, whilst encouraging all those citizens, who prove themselves, by their industry, their integrity, and their morality, entitled to confidence and to employment, we should at the same time look elsewhere for a steady influx of population, which will eventually give to Kentucky her proper influence and deserved high position among her sisterhood of States.

Our State is rich—its debt extinguished, in fact, by the assets in hand—and its credit high. We should not hesitate so much at the cost of a well-tried successful experiment, or dole out with parsimonious hand insufficient supplies to accomplish an object so greatly to be desired. The dissemination abroad of information as to the resources, climate, and capability of Kentucky, is one of the essential characteristics of such legislation.

The appointment of eminent, distinguished citizens as agents, is another—such men as would be received everywhere cordially because of their social position and known integrity, and whose influence in the official circles of any country would be marked and decided; and the system can neither be complete nor humane without embracing in its details provisions for ascertaining the labor wants of each district in the State, and pointing to homes and employment beforehand for the stranger who may be induced to settle among us.

In new countries the grand feature is their ability to endow the immigrant with a free homestead, which overcomes the reluctance to encounter hardship and to give up the comforts and protection afforded by more civilized settlements. To meet this difficulty Kentucky, having no lands to give, might substitute some other inducement.

In England, Belgium, Germany, and France, there are tens of thousands of the best mechanics, farm laborers, miners, and others, who would gladly come to our State, if facilities could be offered for them to do so. The increase of wealth resulting from this accession to our population would be almost incalculable.

These people are honest laborers—moral and religious. They are not paupers; but the avenues of labor are so crowded as to reduce prices to the limit of bare sustenance, and families which support themselves during good health, have no savings at the year's end to enable them to look forward to the means of escape to our hospitable shores. This is a peculiarly appropriate time for action. All Europe is armed to the teeth in anticipation of impending war. The air is filled with the odor of revolution—even in England; and hundreds of thousands see and hear the threatening storm. These thousands of people, who have no means of escape from enrollment into armies, at the first signal of warfare would eagerly grasp any offer to relieve themselves and their families, by immigration, from such impending calamity.

FIRE-PROOF OFFICES.

By an act of the last Legislature fifty-five thousand dollars were appropriated for the completion of fire-proof public offices, for the use of the State officers at Frankfort. The provisions of that act required the Governor and two Commissioners, recommended by him and confirmed by the Senate, to use that money, first, in payment of such debts and liabilities against the State created by the former Board of Commissioners, as should, within thirty days after the passage of said act, be certified by the old Board of Commissioners to them as just and correct; and the balance to be expended in finishing the fire-proof offices. The old Board of Commissioners reported and certified debts as just and unpaid amounting to thirteen thousand two hundred and eighty-six dollars and thirteen cents, leaving for our use toward completion of the offices $41,713 87; and this sum, or within a fraction of the whole, has been, as I feel certain, judiciously and advantageously applied to that purpose. There will be at an early day a detailed report laid before you, showing a full account of the labor and expenditures of that Board of Commissioners, which I am satisfied will bear the test of the strictest scrutiny. I respectfully invite you to make, each, personal examination of the building and all its parts. Your own good judgment will suggest that provision should promptly be made for finishing the rooms on the second and third floors, with a view to their occupation by the public officers, and thereby saving to the State the heavy rents now paid. All the rooms on the first floor will be ready for occupation within a few days, needing only some furniture.

INTERNAL IMPROVEMENT.

It is gratifying to observe the spirit in favor of internal improvement which is developing in every portion of the State. Turnpike roads are rapidly multiplying; rivers are being improved and rendered navigable, which have not been so heretofore; and a number of important railroads are in course of rapid construction in various parts of the State; whilst still a larger number are projected, and with prospects rendering their completion only a question of time. Within the next ten years we may safely predict that vast advances will be made in the development of the resources and substantial wealth of the State through these means. As the benefits arising from the means of intercommunication and facilities of commerce, afforded by the building of railroads, are demonstrated, the determination to enjoy them is formed by the people, and they spring up as if by magic. It will afford me great satisfaction to approve any properly guarded legislation looking to the increase of railroad facilities in all portions of the Commonwealth; and it is the duty as I doubt not it will be the pleasure, of the Legislature, to foster and encourage this by the passage of laws granting franchises as liberal as is consistent with the safety of the citizens, and their protection against imposition.

Great enterprises, like the construction of railroads, can only be accomplished by an association of capital through the medium of incorporated companies; and in granting charters to these companies, whilst exercising liberality in the grant of powers, due care should be observed to throw around them the proper safeguards, protecting the public and affording ample and adequate remedies to individuals.

The individual citizen is placed at great disadvantage in a controversy with a powerful corporation, which, it must be borne in mind, is fettered not by the restraints of sympathy and moral obligation, but insists upon the bald, bare letter of the law. There are many charters now in existence in Kentucky which confer upon companies powers which should not have been granted; and it should be remembered that franchises thus granted are in the nature of a contract between the State and the company, and when accepted, and money invested under them, they become vested rights, and cannot be abrogated by the Legislature. Good faith requires, and the courts will see, that the company which invests money under a charter passed by the Legislature is protected in the full enjoyment

of the franchises granted. Hence the necessity for circumspection in this matter, and the reservation of a supervisory power in the representatives of the people, and the insertion, in each charter granted, for whatever purpose, of all needful safeguards.

PENITENTIARY.

The report of the Keeper of this Institution will show its healthy and prosperous condition. It is being managed and carried on with humanity to the convicts, and with proper discipline. There were in that prison on the first of March, 1871—

Convicts		616
There have been received since that time		233
Making		849
Discharged by expiration of term of sentence since 1st March	187	
Number of deaths	17	
Discharged under Executive pardon	60	
Escapes	5	
		269
Leaving now in prison		580

The visitor in passing among the convicts, cannot fail to perceive that the prisoners are well fed and clothed, and that a healthy discipline prevails. It is a sad picture to see there, in prison garo, so many young men, and mere boys; and one visiting there would naturally turn his mind to our projected State House of Reform, and wish for its completion, in the hope that this latter class of offenders may be separated from older and worse men, and placed under influences more encouraging for their reclamation.

It is the custom of the Executive to issue pardons to convicts the day before, or some days before, the expiration of their term, in every instance where they, from good conduct in prison, are entitled to it. This they all understand, and it has a good influence upon them. Whether any legislation is necessary providing additional means as encouragement to them, and further moral culture with religious instruction, is a question to which I invite your thoughtful attention. There are many good citizens in our State who feel anxious upon this subject, and believe much could be done, and that our duty as a Christian people, abhorring crime, does not stop at mere confinement in the prison, but that we should make a strenuous effort to reclaim and reform them.

WAREHOUSE FOR PENITENTIARY.

An appropriation of $28,311 was made last session of the Legislature to build a fire-proof warehouse for the Penitentiary, and the Governor, Auditor, and Treasurer were directed to contract for and secure its building. A report of their action in the premises will be presented for your inspection. I take great pleasure in saying that they have caused to be erected upon the grounds, as directed, a most excellent fire-proof building, now about complete. It is a substantial structure, admirably adapted for the purposes for which it is designed, and, perhaps, a better and more faithful job of work was never done in the State, its cost being only twenty-four thousand dollars; leaving $4,311 of the appropriation which will not be called for in aid of this item of improvement.

STATE HOUSE OF REFORM.

The "State House of Reform for Juvenile Delinquents," in the completion and successful operation of which the people all over the State feel great interest, I regret to say, is not yet completed; and, although I have no formal report from the Commissioners having it in charge, I am satisfied it will not be in readiness for use before next spring. The Commissioners will lay before you their report, and it will discover to you whatever necessary action will be required, upon your part, to finish the enterprise and open the doors for the reception of convicts. The great need and usefulness of such an institution as a means of reclaiming the wayward youths of the State, I am sure will challenge your especial attention. The State has already invested upwards of fifty thousand dollars in the purchase of grounds, preparing buildings, &c., all which has been most judiciously expended and faithfully applied by the Commissioners. Shall that investment stand there yielding no return to the State? Or will you provide the Commissioners with the additional funds necessary to complete the institution—at all events sufficient to carry it into practical operation.

KENTUCKY MILITARY INSTITUTE.

This flourishing institution is steadily increasing in interest and usefulness. The able and efficient Superintendent, Professor R. T. P. Allen, and his excellent corps of teachers, deserve the highest meed of praise for their indefatigable and successful efforts in the interests of scientific education, the benefits of which have been experienced and recognized both in Kentucky and many of her

sister States. The report of the Board of Visitors will be laid before you, showing the condition and progress of the institution in detail.

SPECIAL LEGISLATION.

ANnual sessions of the Legislature have been chiefly attributable to, and their time greatly consumed by, the consideration of a multitude of bills of a purely private and local character, for the benefit of individuals or companies seeking some relief or franchise, the granting of which would, in my opinion, be properly transferred, as in some cases has been done, to other and inferior tribunals.

I submit to your wisdom whether it would not be advisable to enact a general law making such transfer of jurisdiction in most, if not all, cases of this class. Such a measure would not only relieve the State of considerable expense, amounting to not less than $30,000 per annum, but would greatly lighten the burden of legislation.

Assuring you of my high respect and confidence in your wisdom, integrity, and love of country, and of my readiness to co-operate with you in all your labors of legislation, I commend you to the care and oversight of Him who is God over all, and the Supreme Lawgiver of the world.

P. H. LESLIE.

DOCUMENTS ACCOMPANYING GOVERNOR'S MESSAGE.

LOUISVILLE, September 12th, 1871.

His Excellency, PRESTON H. LESLIE, *Governor of the Commonwealth of Kentucky, Frankfort, Ky.:*

SIR: In accordance with the request contained in yours of the 8th inst., I have the honor to report—

That, in pursuance of your instructions, I proceeded to the city of New York, in the month of May, for the purpose of ascertaining, as far as possible, who were the holders of the bonds of the State of Kentucky, and the terms upon which said bonds could be redeemed; and I inclose herewith a paper marked "A," which, I believe, contains a list of all, or nearly all, of the bonds, the coupons of which are paid in New York, together with the names of the owners or their agents.

It is proper to state that I believe that if I had been authorized to purchase the bonds, I could have readily redeemed them at the current rates at which they were quoted in the New York market; but as I was instructed not to conclude any purchases at that time, and being assured that *conditional purchases* at the market rates could not be effected, I did not make any overtures to their holders, fearing

that it would have the effect to induce speculators to rush into the market and buy them up, and hold them for a higher price before I, as the agent of the State, could be fully authorized to purchase them. I was sustained in this view of the matter by the President and Cashier of the Bank of America, which bank has long been the fiscal agent of the State in New York.

Owners (resident in this State) of about two hundred of the "War Bonds" have offered to sell them to me at prices ranging from ninety-five cents on the dollar to par; but I was compelled to decline the purchase thereof for the want of the necessary authority.

Previous to my visit to New York, I purchased, in accordance with your instructions, and delivered to the Auditor for canceling, fourteen (14) bonds, a list of which is herewith inclosed, marked "B."

Although the act of the General Assembly, under which I hold my appointment, may not be perfect and complete, yet, with the cordial and hearty co-operation of the Commissioners of the Sinking Fund, I believe I should have no great difficulty in carrying out the obvious intent and meaning thereof within a reasonable length of time. It may not be improper to add, that I shall hold myself always in readiness to obey your instructions, and to co-operate with you in carrying out the provisions of said act.

Very respectfully, your obedient servant,

LYTTLETON COOKE.

(A.)

List of Owners of Bonds of State of Kentucky.

Jas. F. De Peyster, Treasurer, 67 Bleeker street:

Nos. 50, 96, 1351, 743, 474, 617, 1058, 1501, 1041, 1688, 86, 713, 783, 732, 504, 531, 465, 1735, 558, 1542, 744, 1386, 840, 823, 462, 1065, 480, 1675, 1757, 1599, 509, 1770, 1505, 1592, 1495, 2145, 492, 1600, 1995, 2043, 1286, 1601, 1611, 1319, 1486, 2060, 1293, 1686, 1802, 2059, 2072, 1888, 2045, 1138, 1282, 1185.

H. Amy & Co., 21 Nassau street:

Nos. 1347, 443, 1718, 657, 600, 1687, 671, 612, 1130, 1719, 666, 665, 1230, 664, 1690.

Ward, Campbell & Co., 56 Wall street:

Nos. 975, 1239, 2107, 2074, 701, 1217, 1273, 1736, 574, 1156, 1511, 1627, 527, 1643, 433, 1083, 1510, 1072, 1352, 1538, 1103, 798, 1243, 1513, 574.

James G. King & Sons, 54 William street:

Nos. 1128, 1238, 646, 1972, 1242, 722, 1978, 1272, 1030, 464, 546, 847, 1144, 591, 1801, 1228, 1334, 917, 785, 719, 711, 1281, 2105, 1918, 1755, 1696, 1607, 1516.

P. Harmony's nephews, 63 Broadway:

Nos. 1733, 792, 70, 1559, 1575, 1477, 1451, 691, 617, 1263, 1574, 1641, 1952, 67, 27, 2117, 1966, 1277, 1068, 7, 20.

M. Garcia, 63 Broadway:

Nos. 1236, 1154, 1856, 1127, 1021, 1869, 1192, 1164, 1313, 1514, 1229, 1102, 1409, 1301, 1029, 1232.

A. J. Henriques, 76 Seventh Avenue:

Nos. 1069, 1095, 1111, 1146, 1182, 1006, 994, 1153, 997, 1178.

J. R. Gardner, 29 William street:

Nos. 1420, 1783, 1428, 565, 1165, 775, 1784, 1778, 1504, 1955, 2042, 1545, 2037, 886, 820, 551, 2142, 1985, 1779, 1299, 1729, 795, 817, 818, 819, 1782, 816.

F. W. Capen, attorney, 44 Exchange Place:

Nos. 1248, 1951, 1207, 1135, 1295, 1994, 1925, 557, 1078, 1011, 1738, 38, 33, 56, 17, 589, 602, 422, 455, 910, 539, 1200, 21, 58, 3, 45, 46, 41, 20, 37, 34, 22, 30, 31, 39.

Henry Parish, 52 Wall street:

Nos. 1732, 804, 752, 1459, 100, 89, 84, 92, 75, 1475, 1644, 791, 1569, 2002, 1566, 1342, 2069, 1560, 2035, 1353, 1405, 1033.

Howes & Macy, 30 Wall street:

Nos. 2115, 835, 793, 895, 1372, 1745, 1336, 457, 491, 797, 898, 1376, 916, 1634.

Duncan, Sherman & Co., 11 Nassau street:

Nos. 2129, 2130, 929, 2138, 2123, 2126, 2124, 652, 2127, 1339, 2132, 2128, 2125, 1948, 890, 905, 1894, 864, 2131, 1636, 1677, 1764, 1528, 2110, 1499, 1637, 1833, 2152, 1530, 1595, 1635, 1506, 1577, 1638, 1304, 1567, 1639.

Kissam & Co., 36 Wall street:

Nos. 1630, 1631, 1632, 1633, 1628, 1629, 1468.

Pullen & Borm, 52 Exchange Place:

Nos. 1624, 1276, 952, 1007, 742, 1989, 918, 1990, 495, 1614.

Bank of New York, 48 Wall street:

Nos. 921, 2049, 1452, 931, 1474, 1458, 1861, 1848, 1411, 1457, 2051, 1441, 1326, 2106, 1188, 1189, 1406, 1439, 956, 1974, 924, 2112, 923, 2057, 1324, 1387, 1088, 2055, 2056, 1349, 926, 1290.

Merchants' Exchange Bank, 257 Broadway:

Nos. 883, 949, 971, 1054, 1032, 2062, 2000, 2061, 1787, 974, 2063, 806, 2065, 2076, 644, 1195, 1788, 941, 676, 1039, 428, 1131, 1907, 155, 945.

D. H. Miller, Baltimore:

Nos. 746, 1040, 553, 922, 1314, 1253, 1256, 1393, 1759, 1315, 829, 985, 1257, 1019, 939, 1596, 858, 815, 1307, 1255, 1145, 1115, 1202, 1250.

(B.)

Louisville, Ky., May 20th, 1871.

Received of Lyttleton Cooke, Esq., agent for the Commonwealth of Kentucky, the sum of fourteen thousand three hundred and eight dollars and fifty cents ($14,308 50) on account of the Virginia Home Insurance Company; said amount being proceeds of the following six per cent. Kentucky State bonds redeemed by the State on the 19th inst.:

No. 491, dated April 16th, 1841.
No. 457, dated April 16th, 1841.
No. 898, dated November 5th, 1841.
No. 797, dated August 16th, 1841.
No. 835, dated September 29th, 1841.
No. 793, dated August 13th, 1841.
No. 895, dated October 30th, 1841.
No. 916, dated November 5th, 1841.
No. 1376, dated December 4th, 1842.
No. 1336, dated October 25th, 1842.
No. 1372, dated December 14th, 1842.
No. 1745, dated October 1st, 1843.
No. 1634, dated June 1st, 1843.
No. 2115, dated October 1st, 1844.

[Signed] BARBEE & CASTLEMAN, *Agents.*

Mr. Chenoweth offered the following resolution, viz :

Resolved, That the Public Printer be directed to print four thousand copies of the Governor's message, with paper covers, enveloped and stamped, ready for distribution by mail, for the use of the members of the Senate.

Which was adopted.

Mr. Wm. Johnson offered the following resolution, viz :

Resolved, That the rules of last session of the Senate of Kentucky be adopted as the rules of the present session.

Which was adopted.

Mr. Dorman offered the following resolution, viz :

Resolved, That a committee of three be appointed to revise the rules of the Senate, and until they report, the rules adopted at the session of 1869–'70 be adopted.

Which was adopted.

Whereupon Messrs. Dorman, Wm. Johnson, and Whitaker were appointed said committee.

Mr. Wm. Johnson read and laid on the table the following joint resolution, viz :

Resolved by the General Assembly of the Commonwealth of Kentucky, That the joint rules of the last session of the two Houses of the General Assembly of the Commonwealth of Kentucky be, and are

hereby, adopted as the joint rules of the two Houses for the present session.

The question was then taken on dispensing with the rule requiring a joint resolution to lie one day on the table, and it was decided in the negative.

Mr. Pope offered the following resolution, viz:

Resolved, That there be added to the standing committees of the Senate a Committee on Immigration and Labor, whose duty it shall be to take under consideration all matters relating to immigration and labor, and report their proceedings and opinion in reference thereto to the Senate.

Which was adopted.

Mr. Dorman offered the following resolution, viz:

Resolved, That the Sergeant-at-Arms of the Senate be, and he is hereby, directed to furnish to each member of the Senate three newspapers during the present session, said papers to be selected by the members respectively.

Mr. Wrightson moved to amend said resolution as follows: Strike out all after the word "resolved," and insert the following: "That each member of the Senate shall supply himself with such newspapers as he may wish at his own expense."

Mr. Conklin then moved to postpone the further consideration of said resolution and amendment until Friday next.

And the question being taken thereon, it was decided in the affirmative.

Mr. Fox offered the following resolution, viz:

Resolved, That the ministers of the several religious denominations in the city of Frankfort be, and they are hereby, invited to designate some one of their number to open the Senate with prayer each day during the session.

Which was adopted.

Mr. Pope offered the following resolution, viz:

Resolved, That the Sinking Fund Commissioners be requested to suspend until January, 1872, any further action under an act, entitled "An act authorizing the sale of the interest and stock owned by the State of Kentucky in turnpike roads," &c., approved March 7th, 1871.

Which was adopted.

Leave was given to bring in the following bills, viz:

On motion of Mr. Talbott—

1. A bill to repeal an act, approved March 7th, 1871, entitled "An act authorizing and directing the sale of the interest and stock owned by the State of Kentucky in turnpike road companies."

On motion of Mr. Wm. Johnson—

2. A bill to amend the laws of evidence in this Commonwealth.

On motion of Mr. Whitaker—

3. A bill to incorporate the Lewisburg and Taylor's Mill Turnpike Road Company.

On motiom of Mr. Pope—

4. A bill to incorporate the Bank of Commerce of Louisville.

On motion of Mr. Conklin—

5. A bill to authorize the circuit and common pleas courts of this State to appoint secretaries to reduce to writing the evidence in legal proceedings.

On motion of Mr. Holt—

6. A bill to amend the common school laws.

On motion of Mr. Gilbert—

7. A bill for the benefit of Briensburg and Calvert City, in Marshall county.

On motion of Mr. Gatewood—

8. A bill to change the county of Allen from the 6th to the 4th judicial district.

On motion of same—

9. A bill to regulate the time of holding the circuit courts in Allen county.

On motion of Mr. Clay—

10. A bill to amend an act, entitled "An act to organize the South Kentucky Railroad Company," approved March 15th, 1871.

On motion of Mr. Conklin—

11. A bill to incorporate the Western Tobacco Corporation.

On motion of Mr. Gilbert—

12. A bill for the benefit and protection of mechanics and laborers employed in the construction of railroads and turnpikes.

On motion of same—

13. A bill to repeal an act directing the purchase of Collins' Historical Sketches of Kentucky, which took effect March 20th, 1871.

On motion of Mr. Chenoweth—

14. A bill to change the time of holding the Mercer quarterly court.

On motion of Mr. Wm. Johnson—

15. A bill to amend section 26, chapter 80, of the Revised Statutes, title "Real Estate."

On motion of same—

16. A bill to amend section 6, chapter 32, of the Revised Statutes.

On motion of Mr. Pope—

17. A bill to incorporate the Louisville College of Pharmacy.

On motion of Mr. Hargis—

18. A bill for the benefit of the Carlisle and Jackstown Turnpike Road Company, upper route.

On motion of Mr. McAfee—

19. A bill for the benefit of Lexington, Fayette County, and the Elizabethtown, Lexington, and Big Sandy Railroad Company.

On motion of Mr. Fox—

20. A bill to amend the charter of the town of Somerset.

Ordered, That the Committee on the Judiciary prepare and bring in the 2d, 17th, and 20th; the Committee on Internal Improvement the 3d and 18th; the Committee on Banks and Insurance the 4th; the Committee on Revised Statutes and Codes of Practice the 5th, 6th, 15th, and 16th; the Committee on Railroads the 10th; the Committee on Finance the 13th; the Committee on Courts of Justice the 14th; Messrs. Talbott, Wm. Johnson, Burton, Whitaker, Fox, and Hawes were appointed a committee to prepare and bring in the 1st; Messrs. Gilbert, Chenoweth, Hale, and Campbell the 7th; Messrs. Gatewood, Wm. Johnson, and Conklin the 8th and 9th; Messrs. Conklin, Barlow, Wm. Johnson, Haggard, and Webb the 11th; Messrs. Gilbert, Wm. Johnson, and Campbell the 12th, and Messrs. McAfee, Wm. Johnson, and Fox the 19th.

The following bills were reported from select committees, viz:

By Mr. Wm. Johnson—

1. A bill to change the county of Allen from the 6th to the 4th judicial district.

By same—

2. A bill to regulate the time of holding the circuit court in Allen county.

By same—

3. A bill for the benefit of the city of Lexington, the county of Fayette, and the Elizabethtown, Lexington, and Big Sandy Railroad Company.

By Mr. Talbott—

4. A bill repealing an act, entitled "An act authorizing and directing the sale of the interest and stock owned by the State of Kentucky in turnpike roads or turnpike road companies."

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, the 4th was referred to the Committee on the Sinking Fund, and the 1st, 2d, and 3d were ordered to be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The Speaker laid before the Senate the following as the Standing Committees of the Senate for the present session, viz :

On Agriculture and Manufactures—Messrs. Ben. J. Webb, J. B. Haydon, Harrison Cockrill, W. P. Duvall, and G. W. Connor.

On Appropriations—Messrs. W. L. Vories, R. A. Burton, W. McKee Fox, F. W. Darby, and John E. Cooper.

On Banks and Insurance—Messrs. Emery Whitaker, A. T. Pope, John W. Johnson, W. W. Frazer, and W. L. Vories.

On Charitable Institutions—Messrs. A. G. Talbott, A. L. McAfee, E. D. Standeford, D. R. Haggard, and E. P. Campbell.

On Claims—Messrs. J. S. Barlow, J. H. Dorman, D. R. Haggard, W. H. Chelf, and Robert Boyd.

On Courts of Justice—Messrs. J. C. Gilbert, O. D. McManama, G. A. C. Holt, F. W. Darby, and Emery Whitaker.

On Education—Messrs. J. J. Gatewood, W. W. Frazer, A. L. Martin, John W. Johnson, and K. F. Prichard.

On Executive Affairs—Messrs. W. McKee Fox, H. S. Hale, Edwin Hawes, John E. Cooper, and Ben. J. Webb.

On Federal Relations—Messrs. J. H. Dorman, E. P. Campbell, A. G. Talbott, William Johnson, and J. S. Barlow.

On Finance—Messrs. W. L. Conklin, H. S. Hale, James B. Casey, R. A. Burton, and J. Q. Chenoweth.

On Immigration and Labor—Messrs. A. T. Pope, John E. Cooper, E. P. Campbell, Harrison Cockrill, and A. L. McAfee.

On Internal Improvement—Messrs. E. D. Standeford, Harrison Cockrill, D. R. Haggard, W. P. Duvall, and J. B. Haydon.

On Judiciary—Messrs. William Johnson, A. T. Pope, K. F. Prichard, James F. Clay, and Thomas F. Hargis.

On Library and Public Buildings and Offices—Messrs. A. L. Martin, W. W. Frazer, J. B. Casey, O. D. McManama, and J. Q. Chenoweth.

On Military Affairs—Messrs. G. A. C. Holt, A. L. McAfee, G. W. Connor, Robert Boyd, and J. H. Dorman.

On Penitentiary and House of Reform—Messrs. K. F. Prichard, F. W. Darby, A. L. Martin, A. L. McAfee, and J. Q. Chenoweth.

On Privileges and Elections—Messrs. A. L. McAfee, O. D. McManama, Edwin Hawes, Thos. Wrightson, and John W. Johnson.

On Propositions and Grievances—Messrs. D. R. Haggard, J. B. Haydon, John E. Cooper, W. L. Conklin, and Robert Boyd.

On Railroads—Messrs. J. Q. Chenoweth, E. D. Standeford, A. G. Talbott, Thomas Wrightson, and James F. Clay.

On Revised Statutes and Codes of Practice—Messrs. W. H. Chelf, W. McKee Fox, J. J. Gatewood, W. L. Conklin, and E. P. Campbell.

On Religion and Morals—Messrs. John W. Johnson, Edwin Hawes, Ben. J. Webb, J. H. Dorman, and Robert Boyd.

On Sinking Fund—Messrs. R. A. Burton, H. S. Hale, Wm. Johnson, W. L. Conklin, and A. G. Talbott.

On Enrollments—Messrs. J. B. Casey, John E. Cooper, and G. W. Connor.

And then the Senate adjourned.

THURSDAY, DECEMBER 7, 1871.

Mr. Haydon presented the petition of the commissioners of Meade county appointed to superintend the construction of a court-house in said county.

Mr. Barlow presented the petition of Joseph Griffith, in relation to a claim against the State.

Which petitions were received, the reading dispensed with, and referred—the first to the Committee on Courts of Justice, and the second to the Committee on Claims.

Mr. Frazer moved to reconsider the vote by which a bill was passed on yesterday, entitled

An act to change the county of Allen from the 6th to the 4th judicial district.

Which motion was simply entered.

The following bills were reported from select committees, viz:

By Mr. Gilbert—

1. A bill authorizing the recording of plats of Briensburg and Calvert City, in Marshall county.

By Mr. Conklin—

2. A bill to incorporate the Western Tobacco Corporation.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, the 2d was ordered to be printed and referred to the Committee on Banks and Insurance, and the 1st was ordered to be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Burton, from the Committee on Sinking Fund, to whom had been referred a bill, entitled

A bill repealing an act, approved March 7, 1871, entitled "An act authorizing and directing the sale of the interest and stock owned by the State of Kentucky in turnpike roads or turnpike road companies,"

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That an act, entitled "An act authorizing and directing the sale of the interest and stock owned by the State of Kentucky in turnpike roads or turnpike road companies," approved March 7th, 1871, be, and the same is hereby, repealed.

§ 2. This act shall take effect and be in force from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Prichard and Conklin, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	W. McKee Fox,	John W. Johnson,
R. A. Burton,	W. W. Frazer,	William Johnson,
E. P. Campbell,	John J. Gatewood,	A. L. McAfee,
James B. Casey,	Jesse C. Gilbert,	O. D. McManama,
J. Q. Chenoweth,	D. R. Haggard,	Alfred T. Pope,
James F. Clay,	H. S. Hale,	A. G. Talbott,

John E. Cooper,	Thomas F. Hargis,	W. L. Vories,
F. W. Darby,	Edwin Hawes,	Emery Whitaker,
J. H. Dorman,	J. B. Haydon,	Thos. Wrightson—29.
William P. Duvall,	G. A. C. Holt,	

Those who voted in the negative, were—

W. H. Chelf,	K. F. Prichard,	Ben. J. Webb—5.
Wm L. Conklin,	E. D. Standeford,	

Resolved, That the title of said bill be as aforesaid.

Mr. Chenoweth read and laid on the table a joint resolution in regard to the tax on cotton levied by the General Government.

The rule of the Senate being dispensed with, said resolution was taken up and read as follows, viz:

WHEREAS, The tax upon cotton levied and collected by the Government of the United States during the years 1865, 1866, and 1867, was, in our judgment, most unjust and oppressive to the people of the cotton-growing States, in that it was a direct tax upon industry, and imposed upon them at a time when they were prostrated and impoverished by war and the attendant consequences; and whereas, the people of those States have, through their respective Legislatures and Chambers of Commerce, petitioned the Congress of the United States to authorize the refunding of this tax; and whereas, we believe the refunding of this, an unequal tax, levied, as it was, on the industry of a minority of the States, to be only a matter of even-handed but tardy justice to those with whom the people of this State are identified, as well by ties of blood as by common interest; therefore, be it

1. *Resolved by the General Assembly of the Commonwealth of Kentucky*, That we do most respectfully and earnestly memorialize the Honorable the Congress of the United States to pass a law refunding to the people of the cotton-growing States the amount of taxes collected on cotton during the years 1865, 1866, and 1867.

2. *Resolved*, That the Governor is hereby authorized and required to transmit a copy of this memorial to the Congress of the United States, through our Senators and Representatives therein.

Ordered, That said resolution be printed.

Mr. John W. Johnson read and laid on the table a joint resolution.

The rule of the Senate being dispensed with, said resolution was taken up and read as follows, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Auditor of Public Accounts shall draw his warrant on the Treasurer, from time to time, for the services rendered by the officers of the Senate and House of Representatives: *Provided*, That the sum drawn for by them, respectively, shall not exceed two thirds of the sum allowed for similar services, per day, during the last session of the Legislature, computing the time from the time of the meeting of the General Assembly up to the time such warrant is drawn.

The question was then taken on the adoption of said resolution, and it was decided in the affirmative.

Mr. Vories read and laid on the table a joint resolution.

The rule of the Senate being dispensed with, said resolution was taken up and read as follows, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Commissioners of the Sinking Fund are hereby requested to withhold all propositions for the sale of the State stock in turnpike roads in this Commonwealth, and that no proposition be consummated for the sale of the stock until final action is had by the General Assembly upon the bill just passed the Senate on that subject.

The question was then taken on the adoption of said resolution, and it was decided in the affirmative.

Leave was given to bring in the following bills, viz:

On motion of Mr. Pope—

1. A bill for the benefit of Emily C. Dunlap.

On motion of Mr. Gilbert—

2. A bill to amend the charter of the Paducah, Benton, and Murray Gravel Road Company.

On motion of same—

3. A bill for the benefit of James Rhey Boyd, of McCracken county.

On motion of Mr. Campbell—

4 A bill to amend an act, passed February 10th, 1866, entitled "An act to exempt homesteads from sale for debt."

On motion of Mr. Clay—

5. A bill to amend an act, approved March 4th, 1865, entitled "An act to amend section 760, Civil Code of Practice."

On motion of same—

6. A bill to amend an act, approved March 5th, 1865, entitled "An act to amend section 611, Civil Code of Practice."

On motion of Mr. Cooper—

7. A bill to amend the tenth and eleventh sections of article 12, chapter 32, of the Revised Statutes.

On motion of Mr. Standeford—

8. A bill to incorporate the Louisville Car Wheel and Railway Supply Company.

On motion of Mr. Darby—

9. A bill to regulate the time of holding the quarterly courts of Caldwell county.

On motion of Mr. McManama—

10. A bill for the benefit of John S. Marksberry, late sheriff of the county of Grant.

On motion of Mr. Chelf—

11. A bill to amend section 211 of the Civil Code of Practice.

Ordered, That the Committee on the Judiciary prepare and bring in the 1st and 3d; the Committee on Revised Statutes and Codes of Practice the 4th, 5th, 6th, 7th, and 11th; the Committee on Internal Improvement the 8th; the Committee on Courts of Justice the 9th; the Committee on Finance the 10th; and Messrs. Gilbert, Holt, and Campbell were appointed a committee to prepare and bring in the 2d.

And then the Senate adjourned.

FRIDAY, DECEMBER 8, 1871.

The Hon. John G. Carlisle, Presiding Officer of the Senate, being absent, on motion of Mr. Whitaker, Mr. Wm. Johnson was unanimously chosen Speaker *pro tem.* of the Senate.

A message was received from the House of Representatives, announcing that they had passed a bill, which originated in the Senate, entitled

An act for the benefit of the city of Lexington, the county of Fayette, and the Elizabethtown, Lexington, and Big Sandy Railroad Company.

That they had passed a bill and adopted a resolution of the following titles, viz:

An act amendatory of an act to provide funds for paying troops raised for the defense of the State, approved February 18th, 1864.

Resolution relating to the election of United States Senator.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with, it was referred to the Committee on Military Affairs.

Said resolution was taken up and read as follows, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the two Houses, in their respective Chambers, and in the manner and form prescribed by law, will, on Tuesday, the 19th instant, at 12 o'clock, meridian, proceed to elect a Senator from the State of Kentucky in the Congress of the United States, to succeed Hon. Garret Davis, whose term of office expires on the 4th day of March, 1873.

The question was then taken on concurring in said resolution, and it was decided in the affirmative.

The Speaker laid before the Senate the following communication from the Auditor and Secretary of the Board of Commissioners of the Sinking Fund, viz:

OFFICE AUDITOR PUBLIC ACCOUNTS,
FRANKFORT, KY., December 8, 1871.

HON. WM. JOHNSON, *Speaker pro tem. of the Senate:*

SIR: I am directed to lay before the Senate the following copy of a resolution adopted by the Commissioners of the Sinking Fund last evening:

Resolved, That all action in regard to sales of turnpike stock of the State be suspended, and that J. A. Dawson, Esq., agent of this board, be directed to cease further action as such.

I have the honor to be,
Respectfully,
Your obedient servant,
D. HOWARD SMITH,
Auditor and Secretary C. S. F.

The following bills were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Pope, from the Committee on Banks and Insurance—

A bill to incorporate the Bank of Commerce of Louisville.

By Mr. Gilbert, from the Committee on Courts of Justice—

A bill to change the time of holding the Mercer county quarterly court.

By same—

A bill to regulate the time of holding the Caldwell quarterly courts.

By same—

A bill to authorize the county court of Meade county to raise money for the erection of public buildings in Meade county.

By Mr. Hargis, from the Committee on the Judiciary—

A bill for the benefit of James Rhey Boyd, empowering him to obtain license to practice law as if of full age.

By Mr. Chenoweth, from the Committee on Railroads—

A bill to amend an act, entitled "An act to organize the South Kentucky Railroad Company," approved March 15th, 1871.

By Mr. Standeford, from the Committee on Internal Improvement—

A bill discontinuing so much of the public road leading from Bardstown to Elizabethtown as lies within one mile of Bardstown.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Pope, from the Committee on the Judiciary, asked to be discharged from the further consideration of the leaves to bring in the following bills, viz:

A bill to incorporate the Louisville College of Pharmacy.

A bill for the benefit of Emily C. Dunlap.

Which was granted.

Mr. Frazer moved to reconsider the vote by which the Senate had passed a bill, entitled

A bill to regulate the time of holding the circuit courts in Allen county.

Which motion was simply entered.

The Senate, according to order, took up for consideration the resolution heretofore introduced by Mr. Dorman, in relation to the furnishing of the members with newspapers, together with the amendment proposed thereto by Mr. Wrightson, viz:

Resolved, That the Sergeant-at-Arms of the Senate be, and he is hereby, directed to furnish to each member of the Senate three newspapers during the present session, said papers to be selected by the members respectively.

Mr. Wrightson moved to amend said resolution as follows: Strike out all after the word "resolved," and insert the following: "That each member of the Senate shall supply himself with such newspapers as he may wish at his own expense."

The question was then taken on the adoption of the amendment proposed by Mr. Wrightson, and it was decided in the negative.

Mr. Hawes then moved to amend said resolution so that each member should be furnished with but two instead of three newspapers.

Which was decided in the negative.

Mr. McAfee then moved to amend said resolution so as to embrace the officers of the Senate.

Which was decided in the affirmative.

The question was then taken on the adoption of said resolution as amended, and it was decided in the affirmative.

The Senate took up for consideration a resolution heretofore introduced by Mr. Wm. Johnson, in relation to the joint rules of the two Houses.

Said resolution reads as follows, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the joint rules of the last session of the two Houses of the General Assembly of the Commonwealth of Kentucky be, and are hereby, adopted as the joint rules of the two Houses for the present session.

The question was then taken on the adoption of said resolution, and it was decided in the affirmative.

The Senate took up for consideration the joint resolutions introduced by Mr. Chenoweth on yesterday, entitled

Resolutions in regard to tax on cotton levied by the General Government.

Said resolutions read as follows, viz:

Whereas, The tax upon cotton levied and collected by the Government of the United States during the years 1865, 1866, and 1867, was, in our judgment, most unjust and oppressive to the people of the cotton-growing States, in that it was a direct tax upon industry, and imposed upon them at a time when they were prostrated and impoverished by war and the attendant consequences; and whereas, the people of those States have, through their respective Legislatures and Chambers of Commerce, petitioned the Congress of the United States to authorize the refunding of this tax; and whereas, we believe the refunding of this, an unequal tax, levied, as it was, on the industry of a minority of the States, to be only a matter of even-handed but tardy justice to those with whom the people of this State are identified, as well by ties of blood as by common interest; therefore, be it

1. *Resolved by the General Assembly of the Commonwealth of Kentucky*, That we do most respectfully and earnestly memorialize the Honorable the Congress of the United States to pass a law refunding to

the people of the cotton-growing States the amount of taxes collected on cotton during the years 1865, 1866, and 1867.

2. *Resolved*, That the Governor is hereby authorized and required to transmit a copy of this memorial to the Congress of the United States, through our Senators and Representatives therein.

The question was then taken on the adoption of said resolutions, and it was decided in the affirmative.

Mr. Chelf read and laid on the table a joint resolution, which reads as follows, viz:

WHEREAS, It is made known to this General Assembly that the library belonging to the Law Institute, in Chicago, was destroyed by the recent fire, and that other States have since contributed to it the volumes embodying their statute and common law; therefore,

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Secretary of State be directed to procure a full set of the Kentucky Reports, Stanton's Revised Statutes, Stanton's Code of Practice, Myers' Supplement, Monroe and Harlan's Digest, and Cofer's Digest, and to deliver said books to Hon. Samuel M. Moore for and on behalf of the said Law Institute.

Mr. John W. Johnson offered the following resolutions, viz:

1. *Resolved*, That so much of the Governor's message as relates to the finances of the State, the Sinking Fund, and the sale of turnpike stocks, be referred to the Committee on the Sinking Fund.

2. That so much thereof as relates to Education, be referred to the Committee on Education.

3. That so much thereof as relates to the revenue of the State, be referred to the Committee on Sinking Fund.

4. That so much thereof as relates to the office of Adjutant General, the militia, and the office of Quarter-Master General, be referred to the Committee on Military Affairs.

5. That so much thereof as relates to the claim upon the General Government and to Federal affairs, be referred to the Committee on Federal Relations.

6. That so much thereof as relates to Testimony and Evidence, be referred to the Committee on the Judiciary.

7. That so much thereof as relates to Insurance, be referred to the Committee on Banks and Insurance.

8. That so much thereof as relates to Law and Order, be referred to the Committee on the Judiciary.

9. That so much thereof as relates to Lunatic Asylums and the Benevolent Institutions of the State, be referred to the Committee on Charitable Institutions.

10. That so much thereof as relates to the Geological Survey of the State, be referred to the Committee on Internal Improvement.

11. That so much thereof as relates to Registration, be referred to the Committee on Revised Statutes and Codes of Practice.

12. That so much thereof as relates to Immigration, be referred to the Committee on Immigration and Labor.

13. That so much thereof as relates to Fish Culture, be referred to the Committee on Agriculture and Manufactures.

14. That so much thereof as relates to Fire-proof Offices, be referred to the Committee on Library and Public Buildings and Offices.

15. That so much thereof as relates to the Penitentiary and State House of Reform, be referred to the Committee on the Penitentiary.

16. That so much thereof as relates to the Kentucky Military Institute, be referred to the Committee on Military Affairs.

17. That so much thereof as relates to Special Legislation, be referred to the Committee on Revised Statutes and Codes of Practice.

Which were adopted.

Leave was given to bring in the following bills, viz:

On motion of Mr. Talbott—

1. A bill for an appropriation to enlarge the Western Lunatic Asylum, in Christian county.

On motion of Mr. Pope—

2. A bill to encourage European immigration and labor.

On motion of Mr. Gatewood—

3. A bill to provide for the payment out of the Treasury the expenses of keeping lunatics in the jails of this Commonwealth, after application has been made to the Asylums for admission and refused.

On motion of Mr. McAfee—

4. A bill for the benefit of officers of the circuit courts.

On motion of same—

5. A bill to prevent illegal voting in this Commonwealth.

On motion of Mr. Whitaker—

6. A bill for the benefit of the Helena Turnpike Road Company, in Mason county.

On motion of Mr. Hawes—

7. A bill to prohibit the sale of intoxicating drinks in the town of Hawesville, approved March 21st, 1870.

On motion of Mr. Clay—

8. A bill to regulate foreign corporations engaged in operating railroads in the State of Kentucky.

On motion of Mr. Gilbert—

9. A bill to provide for the erection of a third Lunatic Asylum in this State.

Ordered, That the Committee on Charitable Institutions prepare and bring in the 1st and 9th; the Committee on Immigration and Labor the 2d; the Committee on Finance the 3d; the Committee on Courts of Justice the 4th; the Committee on Privileges and Elections

the 5th; the Committee on Internal Improvement the 6th; the Committee on Religion and Morals the 7th, and the Committee on the Judiciary the 8th.

And then the Senate adjourned.

SATURDAY, DECEMBER 9, 1871.

A message was received from the House of Representatives, announcing that they had passed bills and adopted a resolution of the following titles, viz:

An act for the benefit of Geo. R. Lewis.

An act for the benefit of Wm. R. Patterson, of Bath county.

Resolution appointing committee to examine certain banks and make report.

Which bills were taken up, severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be read a third time.

The constitutional provision as the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Said resolution was then taken up and read as follows, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That a committee of three from the House and two from the Senate be appointed to visit Louisville and examine the books and papers of the Bank of Kentucky and the Bank of Louisville; ascertain the amount of assets belonging to said banks; of what the assets consist; the value of the stock; the amount of the reserved fund; why the same has not been distributed among the stockholders; and, in making their report, said committee shall give their opinion as to whether or not it is advisable to sell the stock which the State owns in said banks.

Mr. Talbott then moved to refer said resolution to the Committee on Sinking Fund.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Conklin and Cockrill, were as follows, viz:

Those who voted in the affirmative, were—

R. A. Burton,	J. H. Dorman,	John W. Johnson,
E. P. Campbell,	W. McKee Fox,	William Johnson,
Harrison Cockrill,	Jesse C. Gilbert,	A. L. McAfee,
Wm L. Conklin,	H. S. Hale,	O. D. McManama,
John E. Cooper,	Thomas F. Hargis,	K. F. Prichard,
F. W. Darby,	Edwin Hawes,	A. G. Talbott—18.

Those who voted in the negative, were—

John S. Barlow,	W. W. Frazer,	G. A. C. Holt,
W. H. Chelf,	John J. Gatewood,	Alfred T. Pope,
J. Q. Chenoweth,	D. R. Haggard,	W. L. Vories,
James F. Clay,	J. B. Haydon,	Emery Whitaker—12.

The following petitions were presented, viz:

By Mr. Hargis—

1. The petition of citizens of Rowan county, praying relief for W. A. Fountz, security of B. F. Hayden, late sheriff of said county.

By Mr. Whitaker—

2. A petition from the citizens of school district No. 24, in Mason county, praying the passage of a law prohibiting the sale of spirituous liquors within one mile of their school-house.

Which petitions were received, the reading dispensed with, and referred—the 1st to the Committee on Finance, and the 2d to the Committee on Religion and Morals.

The motion entered by Mr. Frazer on yesterday to reconsider the vote by which the Senate had passed a bill, entitled

An act to regulate the time of holding the circuit courts in Allen county,

Was by him withdrawn.

Mr. Whitaker, from the Committee on Banks and Insurance, to whom had been referred a bill, entitled

A bill to incorporate the Western Tobacco Corporation,

Reported the same without amendment.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Connor, from the Twenty-eighth Senatorial District, appeared and took his seat.

The following bills were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Chelf, from the Committee on Revised Statutes and Codes of Practice—

1. A bill to amend section 26, chapter 80, of the Revised Statutes, title "Real Estate."

By Mr. Campbell, from the Committee on Revised Statutes and Codes of Practice—

2. A bill to repeal an act, entitled "An act to amend section 611, Civil Code of Practice," approved March 4th, 1865.

By same—

3. A bill to repeal an act, entitled "An act to amend section 760, Civil Code of Practice," approved March 4th, 1865.

By Mr. Hawes, from the Committee on Religion and Morals—

4. A bill for the benefit of Hawesville.

By Mr. Campbell, from a select committee—

5. A bill to amend the charter of the Paducah, Benton, and Murra y Gravel Road Company.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, the 1st was ordered to be printed and placed in the orders of the day; the 4th was referred to the Committee on Revised Statutes and Codes of Practice, and the 2d, 3d, and 5th were ordered to be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A message was received from the Governor by Mr. Botts, Assistant Secretary of State.

Said message was taken up and read as follows, viz:

STATE OF KENTUCKY, EXECUTIVE DEPARTMENT,
FRANKFORT, December 9, 1871.

Gentlemen of the Senate:

I hereby nominate for your advice and consent Hon. Andrew J.

James for the office of Secretary of State, he having been commissioned as such since the last General Assembly.

P. H. LESLIE.

Resolved, That the Senate advise and consent to said appointment.

Another message was also received from the Governor by Mr. Botts, Assistant Secretary of State.

The rule of the Senate being dispensed with, said message was taken up and read as follows, viz:

STATE OF KENTUCKY, EXECUTIVE DEPARTMENT,
FRANKFORT, KY., December 9, 1871.

Gentlemen of the Senate:

I hereby nominate for your advice and consent the following persons as suitable to be commissioned as notaries public, viz:

Uburto Keenon, Franklin county.
S. R. Sneed, Henderson county.
J. B. Hord, Henderson county.
E. W. Worsham, Henderson county.
C. T. Sterling, Henderson county.
J. A. Coleman, Henderson county.
C. H. Johnson, Henderson county.
T. J. Henry, Henderson county.
Frank Maguire, Jefferson county.
Charles Hebel, Jefferson county.
J. L. Clemons, Jefferson county.
J. Speed Fry, Jefferson county.
John P. Sacksteder, Jefferson county.
David R. Robb, Woodford county.
James G. Thornwell, Jefferson county.

P. H. LESLIE.

Resolved, That the Senate advise and consent to said appointments.

A message was received from the House of Representatives, announcing that they had passed a bill, which originated in the Senate, entitled

An act to regulate the time of holding the circuit court in Allen county.

Mr. Pope offered the following resolution, viz:

Resolved, That the Secretary of State be, and he is hereby, respectfully requested to inform the Senate of the number, name, and volume of public books furnished to destitute counties; the names of those persons to whom such books were furnished; the cost of each volume, and from whom purchased, and the total cost of such books, under provisions of an act, entitled "An act concerning public books, and providing for the supply of destitute counties," approved March 16th, 1869.

Which was adopted.

Mr. Cooper offered the following resolution, viz:

Resolved, That hereafter the Sergeant-at-Arms be required to number the seats in the Senate Chamber from one to thirty-eight, inclusive; and that the Clerk of the Senate shall prepare ballots, numbering from one to thirty-eight, inclusive, and each Senator shall draw a ballot, and the number so drawn, corresponding with the number on the seat shall be the seat of the Senator drawing the same.

Mr. Haggard offered the following resolution, viz:

Resolved, That after the expiration of the present session of the General Assembly, the Sergeant-at-Arms of the Senate shall appoint two pages only. The Door-keeper of the Senate shall appoint one fireman for the Senate, and one waiter in the Senate Chamber.

And the question being taken on the adoption of said resolution, it was decided in the negative.

Mr. Whitaker offered the following resolution, viz:

Resolved, That the resolution heretofore adopted by the Senate in relation to the furnishing of the members of the Senate with newspapers during the present session shall not apply to the Frankfort Yeoman.

And the question being taken on the adoption of said resolution, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Conklin and Cockrill, were as follows, viz:

Those who voted in the affirmative, were—

R. A. Burton,	G. A. C. Holt,	Alfred T. Pope,
J. Q. Chenoweth,	John W. Johnson,	A. G. Talbott,
W. McKee Fox,	William Johnson,	W. L. Vories,
John J. Gatewood,	O. D. McManama,	Emery Whitaker—13.
D. R. Haggard,		

Those who voted in the negative, were—

John S. Barlow,	G. W. Connor,	H. S. Hale,
E. P. Campbell,	John E. Cooper,	Thomas F. Hargis,
W. H. Chelf,	F. W. Darby,	Edwin Hawes,
James F. Clay,	J. H. Dorman,	J. B. Haydon,
Harrison Cockrill,	W. W. Frazer,	K. F. Prichard—17.
Wm L. Conklin,	Jesse C. Gilbert,	

Mr. Prichard then moved to reconsider the vote by which said resolution was rejected.

Which motion was simply entered.

Leave was given to bring in the following bills, viz:

On motion of Mr. Pope—

1. A bill to repeal an act concerning public books, and providing for the supply of destitute counties, approved March 16th, 1869.

On motion of Mr. Prichard—

2. A bill to amend section 112, title 6, chapter 1, of the Criminal Code of Practice.

On motion of Mr. Barlow—

3. A bill to authorize notaries public to take acknowledgments on deeds of conveyance and mortgages.

On motion of Mr. Haggard—

4. A bill to authorize the county clerk of Cumberland county to procure books and indexes for the purpose of transcribing the mutilated records of the surveyor's office of said county, and for other purposes.

On motion of Mr. Gatewood—

5. A bill to incorporate Bowling Green Presbyterian Female College.

On motion of Mr. Conklin—

6. A bill to amend the law in regard to master commissioners.

On motion of Mr. Chenoweth—

7. A bill to protect the fish in the waters of Mercer and Franklin counties.

On motion of Mr. McManama—

8. A bill to establish a court of common pleas in the 11th judicial district.

On motion of Mr. Hargis—

9. A bill to authorize the presiding judge of Nicholas county to make further subscriptions to the unfinished turnpike roads in said county.

On motion of Mr. Cooper—

10. A bill to amend section 650 of the Civil Code of Practice.

On motion of Mr. Frazer—

11. A bill to increase the jurisdiction of justices of the peace and quarterly courts of this Commonwealth.

On motion of Mr. McManama—

12. A bill to repeal an act, entitled "An act to authorize the marking and defining and establishing the line between the counties of Pendleton and Grant," approved March 15th, 1871.

Ordered, That the Committee on the Judiciary prepare and bring in the 1st and 10th; the Committee on Revised Statutes and Codes of Practice the 2d, 3d, 6th, 11th, and 12th; the Committee on Claims the 4th; the Committee on Education the 5th; the Committee on Religion

and Morals the 7th ; the Committee on Courts of Justice the 8th, and the Committee on Internal Improvement the 9th.

Mr. Cooper, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz :

An act to regulate the time of holding the circuit courts in Allen county ;

An act for the benefit of the city of Lexington, the county of Fayette, and the Elizabethtown, Lexington, and Big Sandy Railroad Company ;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the Committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Cooper reported that the committee had performed that duty.

And then the Senate adjourned.

MONDAY, DECEMBER 11, 1871.

The Presiding Officer of the Senate, Hon. John G. Carlisle, appeared and took the Chair.

A message was received from the House of Representatives, announcing that they had concurred in the adoption of resolutions, which originated in the Senate, entitled

Resolutions in regard to tax on cotton levied by the General Government.

That they had passed bills of the following titles, viz :

1. An act to create an additional voting precinct in Shelby county.

2. An act to amend the charter of the Brooksville and Rock Spring Turnpike Road Company.

3. An act to require the county court of Christian county to appoint commissioners to divide said county into not less than fifteen magisterial districts.

4. An act to regulate sales made under decrees of the Barren circuit court.

5. An act for the benefit of J. F. Dempsey, of Hopkins county.

6. An act to prevent the sale of spirituous or malt liquors in the town of Elkton, or within the limits of one mile of the corporate limits thereof.

7. An act to amend an act, entitled "An act to incorporate the town of Glasgow Junction."

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st to the Committee on Privileges and Elections; the 2d to the Committee on Internal Improvement; the 3d to the Committee on Courts of Justice; the 4th, 5th, and 7th to the Committee on the Judiciary, and the 6th to the Committee on Religion and Morals.

Mr. Prichard presented the petition of the board of trustees of the town of Catlettsburg, praying the repeal of an act, entitled "An act for the benefit of O. C. Bowles and George W. Brown, and their associates, lessees, and vendees," approved March 15th, 1871.

Which was received, the reading dispensed with, and referred to the Committee on Revised Statutes and Codes of Practice.

Mr. Gilbert, from a select committee, reported a bill, entitled

A bill for the security of persons furnishing labor or materials in the construction or repairs of railroads, turnpike, and gravel roads.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be printed and placed in the orders of the day.

Mr. McAfee read and laid on the table a joint resolution.

The rule of the Senate being dispensed with, said resolution was taken up and read as follows, viz:

Whereas, The Congress of the United States is now engaged in fixing the ratio of Congressional representation among the several States of this Union, under the census report of 1870; and whereas, the State of Kentucky is entitled to an increase of her Congressional representation under said report; therefore, be it

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Speakers of both Houses of this General Assembly shall

appoint a suitable committee, to be composed of not more than nine members of the Senate and same number of the House, to act as a joint committee to apportion the State into as many Congressional Districts as she may be entitled to under the census report for 1870.

And the question being taken on the adoption of said resolution, it was decided in the affirmative.

On motion, leave of indefinite absence was granted to Mr. Cooper.

The Senate took up for consideration the motion heretofore made by Mr. Prichard, to reconsider the vote rejecting a resolution introduced by Mr. Whitaker, which reads as follows, viz:

Resolved, That the resolution heretofore adopted by the Senate in relation to the furnishing of the members of the Senate with newspapers during the present session shall not apply to the Frankfort Yeoman.

And the question being taken on reconsidering said vote, it was decided in the affirmative.

The question was then taken on the adoption of said resolution, and it was decided in the affirmative.

Leave was given to bring in the following bills, viz:

On motion of Mr. John W. Johnson—

1. A bill for the benefit of P. C. Linelly, late sheriff of McLean county.

On motion of Mr. Campbell—

2. A bill to amend an act, entitled "An act in relation to stationery furnished members of the General Assembly," approved March 16th, 1869.

On motion of Mr. Pope—

3. A bill to repeal or modify an act, entitled "An act to authorize creditors in certain cases to garnishee before judgment or return of no property," approved March 15th, 1870.

On motion of Mr. Webb—

4. A bill to incorporate the Exchange Bank and Tobacco Warehouse Company.

On motion of Mr. Hale—

5. A bill to amend the charter of the town of Mayfield, Graves county.

On motion of Mr. McManama—

6. A bill to preserve and perpetuate the manuscript copies of the Court of Appeals.

On motion of Mr. Hargis—

7. A bill to re-enact an act, approved February 16th, 1866, entitled

"An act to authorize the county court of Bourbon county to levy a tax to build a bridge across Hinkson creek."

Ordered, That the Committee on Finance prepare and bring in the 1st; the Committee on Claims the 2d; the Committee on the Judiciary the 3d and 5th; the Committee on Banks and Insurance the 4th; the Committee on Courts of Justice the 6th, and the Committee on Internal Improvement the 7th.

And then the Senate adjourned.

TUESDAY, DECEMBER 12, 1871.

A message was received from the House of Representatives, announcing that they had passed a bill, entitled

An act to incorporate Hebron Cemetery Company, in Boone county.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with, it was referred to the Committee on Revised Statutes and Codes of Practice.

A message was received from the Governor by Mr. Botts, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to regulate the time of holding the circuit courts in Allen county.

An act for the benefit of the city of Lexington, the county of Fayette, and the Elizabethtown and Big Sandy Railroad Company.

Mr. Botts, Assistant Secretary of State, presented to the Senate the response of the Secretary of State to a resolution of inquiry in relation to books furnished the several counties of the State.

Which is as follows, viz:

OFFICE OF SECRETARY OF STATE,
FRANKFORT, KY., December 12, 1871.

HON. JOHN G. CARLISLE, *Speaker of the Senate:*

In response to a resolution adopted by the Senate on the 9th inst. on motion of the Hon. A. T. Pope, I have the honor to report that

my predecessor, Hon. Sam. B. Churchill, in pursuance of an act, entitled "An act concerning public books, and providing for the supply of destitute counties," approved March 16th, 1869, contracted with Robert Clark & Co., of Cincinnati, Ohio, to furnish all the books which might be demanded at this office by the proper authorities under said act; and in pursuance thereof, it officially appears that all the counties in the State have, through their proper officers and proper orders, been supplied with lost, worn out, and destroyed books, as provided for in said act, at a cost of forty-nine thousand seven hundred and ten dollars and seventy-six cents, except the counties of Boone, Bourbon, Casey, Crittenden, Franklin, Grayson, Jackson, Lyon, Mason, Perry, and Wolfe, in all eleven counties, that have made no application for books under said act. For some two or three counties which have been supplied by the contractors, proper receipts have not been filed in this office, and nothing has as yet been paid; when paid, the aggregate, up to this time, will not fall short of fifty-five thousand dollars. It is impossible to report what the cost of supplying the other counties will be, or whether they will ever apply.

Respectfully,

A. J. JAMES, *Secretary of State.*

Ordered, That said response be printed, and referred to the Committee on Library and Public Buildings.

Mr. Botts, Assistant Secretary of State, also presented a communication from the Secretary of State.

Which reads as follows, viz:

STATE OF KENTUCKY,
OFFICE OF SECRETARY OF STATE,
FRANKFORT, December 12, 1871.

HON. JOHN G. CARLISLE, *Speaker of the Senate:*

In compliance with section 10 of article 2, chapter 89, Revised Statutes, I have the honor to report to the General Assembly the amount of each monthly payment of interest on the various State bonds outstanding and issued by the State, to whom, and when paid, during the fiscal year, from 11th of October, 1870, to 10th of October, 1871, inclusive; the particulars of which are shown in the statement of the Auditor of Public Accounts, herewith filed, marked (A), as part of this report; and respectfully ask that you will make known this report to the General Assembly.

Very respectfully,

A. J. JAMES, *Secretary of State.*

(A).

A STATEMENT *exhibiting the amount of interest paid on State debt, and to whom paid, from* 11*th October*, 1870, *to* 10*th October*, 1871, *inclusive:*

1870.				
October	18.	To Grant Green, Cashier, coupon due July, 1870		$30 00
October	22.	To Morton, Galt & Co., accrued interest on bond paid by warrant No. 105		18 33
November	10.	To Grant Green, Cashier, coupons—		
		Two due July, 1869	$60 00	
		Two due January, 1870	60 00	
		Two due July, 1870	60 00	
				180 00
November	14.	To G. T. Bonner & Co., accrued interest on bond paid by warrant No. 111		18 33
November	17.	To John Watson, Cashier, coupons due in July, 1870		60 00
November	21.	To Grant Green, Cashier, interest on State debt paid by Bank of America, New York, and charged in account with Farmers' Bank, Frankfort		1,000 00
November	29.	To G. T. Bonner & Co., accrued interest on bond paid by warrant No. 120		24 33
December	30.	To G. T. Bonner & Co., accrued interest on bond paid by warrant No. 130		29 65
1871.				
January	2.	To Grant Green, Cashier, coupons due January, 1871		750 00
January	2.	To A. F. Hawkins, Cashier, coupons due January, 1871		1,560 00
January	2.	To John B. Bowman, Regent of Kentucky University, coupons due in January, 1871, on State bonds, by Agricultural College		4,950 00
January	2.	To Bank of Louisville, coupons due in January, 1871		1,500 00
January	3.	To Grant Green, Cashier, coupons due in January, 1871		660 00
January	4.	To Grant Green, Cashier, coupons due in January, 1871		210 00
January	9.	To E. H. Taylor, Cashier, coupons due in Januay, 1871		120 00
January	9.	To E. H. Taylor, Cashier, coupons due in January, 1871		150 00
January	9.	To Grant Green, Cashier, two coupons due in January, 1871	$60 00	
		Interest on State debt paid by Bank of America, New York, and charged in account with Farmers' Bank, Frankfort	30,000 00	
				30,060 00
January	10.	To E. H. Taylor, Cashier, accrued interest on bond paid by warrant No. 11		23 18
January	13.	To John Watson, Cashier, accrued interest on bond paid by warrant No. 16	$1 66	
		Coupons due January, 1871	90 00	
				91 66
January	14.	To Grant Green, Cashier, coupons due in January, 1871		30 00
		Amount carried forward		$41,465 48

		Amount brought forward	$41,465 48
January	19.	To E. H. Taylor, Cashier, accrued interest on bond paid by warrant No. 24	10 00
January	27.	To E. H. Taylor, Cashier, accrued interest on bond paid by warrant No. 27	7 00
February	2.	To H. Avey & Co., accrued interest on bond paid by warrant No. 30	5 00
February	15.	To Grant Green, Cashier, coupons due in January, 1871	120 00
March	6.	To John Watson, Cashier, coupons due in January, 1871	630 00
March	28.	To Z. F. Smith, Superintendent of Public Instruction, January, 1871, interest on school bonds	43,152 15
April	1.	To Grant Green, Cashier, coupons due in January, 1871	60 00
April	4.	To E. H. Taylor, Cashier, accrued interest on bond paid by warrant No. 50	39 00
April	5.	To E. H. Taylor, Cashier, accrued interest on bond paid by warrant No. 53	14 83
April	8.	To A. F. Hawkins, Cashier, coupons due in January, 1871	2,325 00
April	11.	To Grant Green, Cashier, coupons due January, 1871	60 00
April	18.	To Grant Green, Cashier, accrued interest on bond paid by warrant No. 58	17 28
April	18.	To Grant Green, Cashier, coupons due in January, 1871	30 00
April	19.	To Grant Green, Cashier, accrued interest on bonds paid by warrant No. 61	69 33
April	21.	To Grant Green, Cashier, accrued interest on bonds paid by warrant No. 63	34 66
April	25.	To Grant Green, Cashier, accrued interest on bonds paid by warrant No. 66	52 49
April	26.	To Grant Green, Cashier, accrued interest on bonds paid by warrant No. 68	35 16
April	28.	To E. H. Taylor, Cashier, accrued interest on bonds paid by warrant No. 70	173 14
April	29.	To Grant Green, Cashier, accrued interest on bonds paid by warrant No. 72	51 99
May	1.	To E. H. Taylor, Cashier, accrued interest on bonds paid by warrant No. 74	51 99
May	6.	To A. F. Hawkins, Cashier, fractional coupons, 5 per cent. bonds, due April 25, 1871	1,485 21
May	8.	To Grant Green, Cashier, accrued interest on bonds paid by warrant No. 78	139 96
May	10.	To Grant Green, Cashier, accrued interest on bonds paid by warrant No. 81	143 50
May	15.	To Grant Green, Cashier, accrued interest on bonds paid by warrant No. 87	102 50
May	15.	To G. T. Bonner & Co., accrued interest on bonds paid by warrant No. 89	44 33
May	17.	To Grant Green, Cashier, accrued interest on bonds paid by warrant No. 94	92 33
		Amount carried forward	$90,412 33

		Amount brought forward		$90,412 33
May	19.	To Lyttleton Cooke, Agent, accrued interest on bonds paid by warrant No. 96		308 50
May	20.	To Grant Green, Cashier, accrued interest on bonds paid by warrant No. 98		183 32
May	24.	To Grant Green, Cashier, accured interest on bonds paid by warrant No. 100		40 83
May	26.	To Grant Green, Cashier, accrued interest on bonds paid by warrant No. 102		46 00
May	29.	To Grant Green, Cashier, accrued interest on bonds paid by warrant No. 104		63 16
June	5.	To Grant Green, Cashier, accrued interest on bonds paid by warrant No. 106		23 66
June	12.	To Grant Green, Cashier, accrued interest on bonds paid by warrant No. 108		43 50
June	16.	To Grant Green, Cashier, accrued interest on bonds paid by warrant No. 111		52 32
June	19.	To Grant Green, Cashier, accrued interest on bonds paid by warrant No. 113		128 14
June	19.	To Robert Stone, President, accrued interest on bonds paid by warrant No. 86		20 50
June	24.	To Old Bank of Kentucky, one hundred and fifty-seven coupons attached to bonds, the property of the above bank, and paid by warrant No. 117		4,710 00
July	1.	To A. F. Hawkins, Cashier, coupons due in July, 1871		1,560 00
July	1.	To Grant Green, Cashier, accrued interest on bonds paid by warrant No. 120		76 32
July	1.	To Grant Green, Cashier, coupons due in July, 1871		570 00
July	3.	To E. K. Thornton, Cashier, coupons due in July, 1871		150 00
July	3.	To E. H. Taylor, Cashier, coupons due in July, 1871		1,500 00
July	3.	To John B. Bowman, Regent Kentucky University, coupons due in July, 1871, on State bonds, held by Agricultural College		4,950 00
July	3.	To John Watson, Cashier, coupons due in July, 1871		60 00
July	6.	To Thomas Rodman, sr., coupons due in July, 1871		60 00
July	6.	To Grant Green, Cashier, accrued interest on bonds paid by warrant No. 129	$29 16	
		Coupons due in July, 1871	1,380 00	
				1,409 16
July	8.	To E. H. Taylor, Cashier, coupons due in July, 1871		30 00
July	10.	To Grant Green, Cashier, accrued interest on bonds paid by warrant No. 132		309 16
July	12.	To Grant Green, Cashier, accrued interest on bonds paid by warrant No. 134		20 50
July	17.	To Grant Green, Cashier, coupons due in July, 1871		60 00
July	20.	To Grant Green, Cashier, interest on State debt paid at Bank of America, New York, and charged in account with Farmers' Bank of Kentucky		20,000 00
		Amount carried forward		$106,787 40

		Amount brought forward	$106,787 40
July	22.	To E. M. Flack, accrued interest on bonds paid by warrant No. 139	3 33
July	26.	To E. H. Taylor, Cashier, coupons due in July, 1871	150 00
July	31.	To Grant Green, Cashier, coupons due in July, 1871	60 00
August	3.	To Grant Green, Cashier, accrued interest on bonds paid by warrant No. 143	17 98
August	4.	To Grant Green, Cashier, accrued interest on bonds paid by warrant No. 146	35 50
August	10.	To Grant Green, Cashier, accrued interest on bonds paid by warrant No. 148	10 34
August	11.	To Grant Green, Cashier, accrued interest on bonds paid by warrant No. 150	27 83
August	14.	To Grant Green, Cashier, accrued interest on bonds paid by warrant No. 152	98 99
August	18.	To Grant Green, Cashier, accrued interest on bonds paid by warrant No. 154	71 82
August	22.	To Grant Green, Cashier, accrued interest on bonds paid by warrant No. 156	23 32
August	30.	To Grant Green, Cashier, coupons due in July, 1871	600 00
September	7.	To E. H. Taylor, Cashier, accrued interest on bonds paid by warrant No. 160	19 66
September	8.	To Grant Green, Cashier, accrued interest on bonds paid by warrant No. 163	54 67
September	8.	To E. H. Taylor, Cashier, accrued interest on bond paid by warrant No. 165	10 00
September	9.	To E. H. Taylor, Cashier, accrued interest on bonds paid by warrant No. 167	10 00
September	12.	To Grant Green, Cashier, accrued interest on bond paid by warrant No. 169	11 33
September	12.	To E. H. Taylor, Cashier, accrued interest on bonds paid by warrant No. 171	67 98
September	20.	To E. H. Taylor, Cashier, coupons due in July, 1871	60 00
September	27.	To E. H. Taylor, Cashier, coupons due in July, 1871	30 00
September	29.	To Grant Green, Cashier, accrued interest on bonds paid by warrant No. 176	11 33
October	2.	To Grant Green, Cashier, accrued interest on bond paid by warrant No. 178	14 33
October	4.	To Grant Green, Cashier, accrued interest on bonds paid by warrant No. 180	44 32
October	6.	To E. H. Taylor, Cashier, accrued interest on bonds paid by warrant No. 183	34 65
October	7.	To Grant Green, Cashier, accrued interest on bonds paid by warrant No. 184	30 00
October	9.	To Grant Green, Cashier, accrued interest on bonds paid by warrant No. 186	15 00
		Total	$128,299 78

Attest:

D. HOWARD SMITH, *Auditor.*

Ordered, That said communication be printed, and referred to the Committee on Charitable Institutions.

Mr. Botts, Assistant Secretary of State, also presented a communication from the Governor.

Which reads as follows, viz:

STATE OF KENTUCKY, EXECUTIVE DEPARTMENT,
FRANKFORT, December 12, 1871.

HON. JOHN G. CARLISLE, *Lieutenant Governor and Speaker of the Senate:*

I herewith transmit to you, to be laid before the Senate, the Annual Report of Managers, Superintendent, and Treasurer of the Eastern Lunatic Asylum.

Respectfully,

P. H. LESLIE.

[*For Report—see Legislative Document No.* 6.]

Ordered, That said communication, with the accompanying report, be printed, and referred to the Committee on Sinking Fund.

Mr. Burton, from the Committee on Sinking Fund, to whom had been referred a resolution from the House of Representatives, entitled

Resolution appointing committee to examine certain banks and make report,

Reported the same with a report thereon, viz:

IN HOUSE OF REPRESENTATIVES, December 8, 1871.

Resolved by the General Assembly of the Commonwealth of Kentucky, That a committee of three from the House and two from the Senate be appointed to visit Louisville and examine the books and papers of the Bank of Kentucky and the Bank of Louisville; ascertain the amount of assets belonging to said banks, of what the assets consist, the value of the stock, the amount of the reserved fund; why the same has not been distributed among the stockholders; and in making their report said committee shall give their opinion as to whether or not it is advisable to sell the stock which the State owns in said banks.

Twice read and adopted.

Attest: M. T. CHRISMAN,
Clerk House Representatives.

The Committee on the Sinking Fund, to whom was referred a resolution of the House of Representatives appointing a committee of three from the House and two from the Senate to visit the city of Louisville and examine into the condition of the Bank of Kentucky and Bank of Louisville, would report that we have had said resolution under consideration, and after examining an act approved 1871, entitled "An act to provide for the payment of the State debt," authorizing the Commissioners of the Sinking Fund to sell all the

bank stock belonging to the State, and having the report of the committee appointed by the Commissioners of the Sinking Fund for the purpose of procuring the information sought by the House resolution, we are of the opinion that no good could be accomplished by concurring in the resolution, but be an additional expense to the State of several hundred dollars.

The report of the committee appointed by the Commissioners of the Sinking Fund is made part hereof.

R. A. BURTON, *Chairman.*

FRANKFORT, KY., October 31, 1871.

To HON. PRESTON H. LESLIE, *Chairman Board Sinking Fund Commissioners:*

The undersigned committee, in obedience to the direction of the Board of Sinking Fund Commissioners, visited the Bank of Kentucky and the Bank of Louisville, and examined the affairs of said institutions, with the view of ascertaining their condition, and report the following as the result of their investigation:

The condition of the Bank of Kentucky, on the 30th day of June, 1871, as shown by the printed statement of the bank, was as follows:

RESOURCES.

Notes discounted maturing	$268,146 80
Notes discounted past due	37,176 37
Bills of exchange maturing	1,819,594 81
Bills of exchange past due	34,415 63
Suspended debt in suit	50,770 83
United States and other bonds and securities	643,487 40
Real estate for debt	24,783 17
Real estate for banking-houses	48,177 31
Protest account	125 74
Bank balances, other than Eastern	302,866 16
United States Treasury and National Bank notes	206,794 93
Deposits in Eastern banks	863,058 92
	$4,299,398 07

LIABILITIES.

Capital stock	$2,431,400 00
Dividends unpaid	42,571 10
Contingent fund required by charter	74,000 00
Fund to cover losses	366,059 02
Fund to redeem circulation	113,846 00
Profit and loss, after deducting dividend No. 67	71,917 33
Due to depositors	1,199,604 62
	$4,299,398 07

There is but little change since this report in the condition of the bank, outside of the earnings, which will go principally to the payment of the next January dividend, and may add something to the surplus fund; and, as the bank could not furnish us with a consolidated statement since the one above, we assume it as the basis from which to make our statement in regard to the surplus:

The surplus, as shown above, is	$511,976 35
There should be added to this of the fund for redemption of circulation, amount for unredeemed circulation, which will never be presented for redemption	60,000 00
And we have the surplus	$571,976 35

Assuming that all the assets of the bank are good, this makes the stock worth 23½ per cent. above par.

This bank, however, like all the old banks of the State, had large debts created before and during the war, some of which were accumulations of years, and were hanging on for settlement, and others that were good, but debtors so crippled by the war and its general effects upon the commerce and business of the country, that they could not pay. All the paper of this sort which has been ascertained to be bad beyond question, has been charged off. There is still another class which has been renewed from time to time, and kept alive with the hope of its ultimate settlement; but some of it must be finally lost, and with it, perhaps, other paper which is looked upon as good; and we have concluded, after sealing the different items of reported assets, that $288,741 10 would be a liberal amount to take off to cover all losses that might occur in any contingency; and, assuming this basis, the surplus fund would stand as follows:

Surplus fund reported by bank, with amount to cover circulation which will not be redeemed	$571,976 35
Estimated amount above to cover losses	283,741 10
Leaves surplus unquestionably good	$288,235 25

This makes the stock worth nearly 12 per cent. premium; the amount taken off, we think, very liberal, but we prefer to overestimate, that your board may know the unquestionable value of the stock.

The condition of the Bank of Louisville, on the 30th day of June, 1871, as shown by the printed report, was as follows:

RESOURCES.

Bills and notes discounted	$1,025,033 40
Notes and bills due and unpaid	21,414 64
Suspended debt at branches	96,128 00
Bonds and stocks	116,813 79
Real estate for banking-houses	75,130 72
Real estate for debt	146,887 90
Due from banks	437,283 07
Costs on suits and protest account	1,699 49
Gold and silver	64,409 34
Currency	122,366 00
	$2,107,166 35

LIABILITIES.

Capital stock	$1,292,800 00
Surplus	47,700 00
Dividend No. 73	39,778 46
Dividends unclaimed	7,176 00
Fund to redeem circulation	63,916 00
Due to banks	265,677 29
Due to depositors	390,118 60
	$2,107,166 35

There is no change in the condition of the bank since the above report was made that will change the surplus, and hence we assume the printed report as our basis for calculation:

The surplus above is	$47,700 00
Add circulation that will not be redeemed	31,958 00
And we have surplus of	$79,658 00

Assuming that the assets of the bank are all good, and will be realized, this makes the stock worth 6 per cent. premium. This bank has also a large *ante bellum* debt, and debts created during the war (some of which are not very good), and has met with heavy losses. Some of this paper is still hanging on in a suspended condition, and some unused and kept alive for future settlement, with a view of getting as much as possible out of it; and we estimate that $168,973 55 would fully cover the losses from the reported assets of this bank. Assuming this basis, the stock of the bank would be worth about 93. The officers of the bank think the stock would be worth par if the bank were wound up now.

The market price of the stock of the Bank of Kentucky is par to 1 per cent. premium, and with little selling and little inquiry for it. It is the opinion of the best informed bankers and brokers in the city, that par could be realized for the stock if placed upon the market in the hands of a discreet banker, in lots of fifty shares at a time, or in quantities to meet the demand as it may come up; but that if a larger quantity is placed upon the market at one time, the value would be decreased in proportion. It is our opinion that no large quantity could be sold without a concession from the present market price, and would not advise the sale of it, except in small quantities, and that through the agency of a president and discreet banker. Kentucky, and Louisville in particular, we think, would furnish the best market for this stock, though as a good deal of it is owned in Philadelphia and New York, some sales might be made at those points, though the tendency in the East to get rid of stocks in Kentucky and Southern State banks has been rather a prominent feature in the stock market in the last few years, and it is constantly going into the hands of persons in the State who have confidence in the management of the banks. In this way the banks have been materially strengthened. The money market, both in Louisville and New York, at this time, is working close, the principal part of it being needed and used at this time for moving hogs, grain, and cotton, and it is in demand at high rates of interest. The stock market has almost been thrown into a panic by the immense quantity of stock thrown upon it by the insurance companies to meet their losses by the Chicago fire, which has increased the demand for money to cover losses and rebuild and supply lost stocks, and also to supply losses by fires generally throughout the Northwest. These things all taken together have brought about, at this time, the peculiar state of the market that makes money scarce, the rates of interest high, and forces down the best stocks in the country, and drives us to the conclusion that, at this time, the placing of a large amount of the very best stocks upon the market will, irresistibly, force it down to a price largely below its real value. The stock of the Bank of Kentucky, if placed upon the market in a large quantity, for the reasons stated, we think, would not bring more than 95, which would be a heavy loss on stock unquestionably worth 112, and likely to continue paying a dividend of 8 per cent. per annum.

The market price of the stock of the Bank of Louisville is 80, and it is decidedly weak at that price. Any quantity of over 30 or 50

shares at a time thrown upon the market would depress it materially; and we are satisfied, that if the stock owned by the State were all placed upon the market at one time, it would not sell for more than 75.

We herewith present a proposition from this bank for an exchange of the State bonds held by the bank for bank stock held by the State. This proposition is, substantially, to take bank stock at 80, and sell Kentucky bonds at par. We think, however, from a conversation with the bank officers, that the bank would exchange at the market price for each; and if the market price for the State bonds were fixed at 95, would advise the exchange to be made, for the reason that the bank cannot, in our opinion, be very profitably managed as long as it continues the Paducah and Flemingsburg branches, though it might still pay 6 per cent. dividend. A negotiation with the bank, on the terms of the market values of the stocks, would certainly be better than selling the bank stock at what it would bring upon the market, and then purchasing the bonds with the proceeds of the sale.

As to what policy should be pursued by the Sinking Fund Commissioners in regard to the sale of the stocks of the State in banks, &c., under all the circumstances surrounding them, is not within the scope of our commission to say; but having fulfilled the commission given us to the best of our ability, with the lights before us, we are respectfully,

[Signed] GRANT GREEN,
JOHN RODMAN.

Ordered, That said resolution and accompanying report of the committee be printed and placed in the orders of the day.

The following bills were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Barlow, from the Committee on Claims—

A bill to amend an act, entitled "An act in relation to stationery furnished members of the General Assembly," approved March 16th, 1861.

By same—

A bill to authorize the county clerk of Cumberland county to procure books and indexes for the purpose of transcribing the mutilated records of the surveyor's office of said county.

By Mr. Standeford, from the Committee on Internal Improvement—

A bill to incorporate the Lewisburg and Taylor's Mill Turnpike Road Company, in Mason county.

By same—

A bill to re-enact an act, approved February 16th, 1866, entitled "An act to authorize the county court of Bourbon county to levy a tax to build a bridge across Hinkson creek."

By same—

A bill for the benefit of the Carlisle and Jackstown Turnpike Road Company, upper route.

By same—

A bill authorizing the presiding judge of Nicholas county to make further subscriptions to the unfinished turnpike roads in said county.

By Mr. Chelf, from the Committee on Revised Statutes and Codes of Practice—

A bill to amend an act, approved February 10th, 1866, entitled "An act to exempt homesteads from sale for debt."

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Wm. Johnson, from the Committee on the Judiciary, reported a bill, entitled

A bill to amend the laws of evidence in this Commonwealth.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Mr. Prichard then moved an amendment to said bill.

Ordered, That said bill and proposed amendment be printed, and made the special order of the day for January 10th, 1872.

Mr. Barlow, from the Committee on Claims, asked to be discharged from the further consideration of the petition of Joseph Griffith.

Which was granted.

Mr. Holt, from the Committee on Military Affairs, to whom was referred a bill, which originated in the House of Representatives, entitled

An act amendatory of an act to provide funds for paying troops raised for the defense of the State, approved February 18th, 1864,

Reported the same without any expression of opinion as to its merits.

The question was then taken on ordering said bill to be read a third time, and it was decided in the negative.

So said bill was disagreed to.

The Senate took up for consideration a bill, entitled

A bill for the security of persons furnishing labor or materials in the construction or repairs of railroads, turnpike, and gravel roads.

Said bill was then amended.

Ordered, That said bill, as amended, be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The Senate also took up for consideration a bill, entitled

A bill to amend section 26, chapter 80, of the Revised Statutes, title "Real Estate."

Various amendments were proposed to said bill.

Ordered, That said bill and proposed amendments be referred to the Committee on Revised Statutes and Codes of Practice.

Mr. Gilbert offered the following resolution, viz:

Resolved, That the Committee on Revised Statutes be, and they are hereby, requested and instructed to prepare and report, as soon as practicable, a general mechanics' lien law for all the counties of this Commonwealth, in lieu of the various local acts now in force.

Which was adopted.

Leave was given to bring in the following bills, viz:

On motion of Mr. Pope—

1. A bill incorporating the Western German Savings Bank of Louisville.

On motion of Mr. Whitaker—

2. A bill to amend the charter of the Kentucky and Great Eastern Railway Company.

On motion of Mr. Standeford—

3. A bill to amend the laws of naturalization, to provide that

foreigners of European birth, after declaring their intention to become citizens of the United States, shall have the same rights, privileges, and franchises as citizens of other States coming into this Commonwealth.

On motion of Mr. Hawes—

4. A bill, entitled "An act to protect small birds and game in the counties of Daviess and Lyon."

On motion of Mr. Campbell—

5. A bill to repeal an act, entitled "An act regulating the fees of the Assistant Secretary of State," approved February 3d, 1865. [Supplement, 462.]

On motion of Mr. McManama—

6. A bill for the benefit of circuit and criminal court clerks.

On motion of Mr. Haggard—

7. A bill to further define the duties of the overseers of the public highways of Cumberland county and other road-workers in said county.

Ordered, That the Committee on Banks and Insurance prepare and bring in the 1st; the Committee on Railroads the 2d; the Committee on Revised Statutes and Codes of Practice the 3d, 4th, 5th, and 6th, and the Committee on Propositions and Grievances the 7th.

Mr. Casey, from the Committee on Enrollments, reported that the committee had examined an enrolled resolution, which originated in the Senate, entitled

Resolution in regard to tax on cotton levied by the General Government,

And enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of Geo. R. Lewis;

An act for the benefit of Wm. R. Patterson, of Bath county;

Resolution in relation to the election of United States Senator;

And had found the same truly enrolled.

Said bills and resolutions having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Casey reported that the committee had performed that duty.

And then the Senate adjourned.

WEDNESDAY, DECEMBER 13, 1871.

A message was received from the House of Representatives, announcing that they had concurred in the adoption of a resolution, which originated in the Senate, entitled

Resolution in relation to Congressional apportionment,

With an amendment.

That they had passed bills, which originated in the Senate, of the following titles, viz:

An act discontinuing so much of the public road leading from Bardstown to Elizabethtown as lies within one mile of Bardstown.

An act to amend the charter of the Paducah, Benton, and Murray Gravel Road Company.

That they had passed bills and adopted a resolution of the following titles, viz:

1. An act for the benefit of Richard W. Neely.

2. An act to authorize the county court of Warren county to levy a tax and issue bonds for bridge purposes.

3. An act for the benefit of school districts No. 8, fractional, and No. 51, in Hart county.

4. An act to incorporate the Bourbon Female College.

5. An act to incorporate Bourbon Building and Savings Association, of Paris.

6. An act to amend an act, entitled "An act to incorporate the West Paris Bridge Company," approved March 15th, 1871.

7. An act to repeal an act, entitled "An act to protect the public highways in Clark and Montgomery counties."

8. An act to protect fish in Drake's creek, in Simpson county.

9. An act to amend an act, entitled "An act to incorporate the Elizabethtown, Lexington, and Big Sandy Railroad Company."

10. An act for the benefit of John E. Walton, of Kenton county.

11. An act to fix the time of holding the Montgomery circuit court.

12. Resolution in relation to the election of State officers.

Which bills and resolution were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st to the Committee

on Military Affairs; the 2d and 6th to the Committee on Internal Improvement; the 3d and 4th to the Committee on Education; the 5th to the Committee on Revised Statutes and Codes of Practice; the 7th and 11th to the Committee on Courts of Justice; the 8th to the Committee on Agriculture and Manufactures; the 9th to the Committee on Railroads; the 10th to the Committee on Propositions and Grievances, and the 12th to the Committee on Privileges and Elections.

The following bills were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Whitaker, from the Committee on Banks and Insurance—

1. A bill to incorporate the Exchange Bank and Tobacco Warehouse Company.

By same—

2. A bill to incorporate the Western German Savings Bank of Louisville.

By Mr. Wm. Johnson, from the Committee on the Judiciary—

3. A bill to amend an act, entitled "An act to provide for the organization and regulation of incorporated companies, except banking, insurance, and railroad companies," approved March 15th, 1870.

By Mr. Clay, from the Committee on the Judiciary—

4. A bill to amend the charter of the town of Mayfield.

By Mr. Chenoweth, from the Committee on Railroads—

5. A bill to amend the charter of the Kentucky and Great Eastern Railway Company.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, the 1st and 3d were ordered to be printed, and placed in the orders of the day; the 2d, 4th, and 5th were ordered to be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Prichard then moved to reconsider the vote by which the Senate had passed the 5th of the foregoing bills.

Which motion was simply entered.

Mr. Standeford, from the Committee on Internal Improvement, to

whom had been referred a bill, which originated in the House of Representatives, entitled

An act to amend the charter of the Brooksville and Rock Spring Turnpike Road Company,

Reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Hargis, from the Committee on the Judiciary—

An act to amend an act, entitled "An act to incorporate the town of Glasgow Junction."

By Mr. McAfee, from the Committee on Privileges and Elections—

An act to create an additional voting precinct in Shelby county.

With the expression of opinion that said bills ought not to pass.

And the question being taken separately on ordering each of said bills to be read a third time, it was decided in the negative.

So said bills were disagreed to.

Mr. Pope, from the Committee on the Judiciary, to whom had been referred a bill from the House of Representatives, entitled

An act for the benefit of J. F. Dempsey, of Hopkins county,

Reported the same with an amendment as a substitute therefor.

The original bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That when James F. Dempsey, of the county of Hopkins, and State of Kentucky, shall have been examined in the proper manner touching his qualifications to practice as an attorney-at-law in all the inferior and superior courts of this State, and found qualified, so far as relates to his practicing law, he is freed from all the disabilities of infancy, subject, however, to all the liabilities in the discharge of the duties of said office that a man twenty-one years old would be.

§ 2. This act to take effect from and after its passage.

The amendment proposed by the committee reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That so much of section 1, article 1, of chapter 4, of the Revised Statutes, as requires a person to be twenty-one years old before he shall obtain a license to practice law as an attorney-at-law, be, and the same is hereby, repealed.

§ 2. Any person who shall obtain a license to practice law shall be responsible for his acts and contracts as an attorney-at-law as if he was of full age.

§ 3. This act shall take effect from its passage.

The question was then taken on the adoption of the amendment, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Wm. Johnson and Chelf, were as follows, viz:

Those who voted in the affirmative, were—

James B. Casey,	H. S. Hale,	K. F. Prichard,
J. Q. Chenoweth,	Thomas F. Hargis,	E. D. Standeford,
James F. Clay,	William Johnson,	Ben. J. Webb,
Harrison Cockrill,	A. L. Martin,	Emery Whitaker,
John J. Gatewood,	Alfred T. Pope,	Thos. Wrightson—16.
Jesse C. Gilbert,		

Those who voted in the negative, were—

John S. Barlow,	J. H. Dorman,	J. B. Haydon,
R. A. Burton,	William P. Duvall,	G. A. C. Holt,
E. P. Campbell,	W. McKee Fox,	John W. Johnson,
W. H. Chelf,	W. W. Frazer,	A. L. McAfee,
Wm L. Conklin,	D. R. Haggard,	O. D. McManama,
G. W. Connor,	Edwin Hawes,	A. G. Talbott—19.
F. W. Darby,		

The question was then taken on ordering said bill to be read a third time, and it was decided in the affirmative.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Clay and Frazer, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	Harrison Cockrill,	John J. Gatewood,
E. P. Campbell,	G. W. Connor,	G. A. C. Holt,
James B. Casey,	F. W. Darby,	John W. Johnson,
James F. Clay,	Wm. P. Duvall,	A. G. Talbott—12.

Those who voted in the negative, were—

R. A. Burton,	D. R. Haggard,	O. D. McManama,
W. H. Chelf,	H. S. Hale,	Alfred T. Pope,
J. Q. Chenoweth,	Thomas F. Hargis,	K. F. Prichard,
Wm. L. Conklin,	Edwin Hawes,	E. D. Standeford,
J. H. Dorman,	J. B. Haydon,	Ben. J. Webb,
W. McKee Fox,	Wm. Johnson,	Emery Whitaker,
W. W. Frazer,	A. L. Martin,	Thos. Wrightson—23.
Jesse C. Gilbert,	A. L. McAfee,	

Mr. Wm. Johnson then moved a reconsideration of the vote by which the Senate had disagreed to said bill.

And the question being taken thereon, it was decided in the affirmative.

Ordered, That said bill and pending amendment be recommitted to the Committee on the Judiciary.

In pursuance of instruction given on yesterday,

Mr. Chelf, from the Committee on Revised Statutes and Codes of Practice, to whom had been referred a bill, entitled

A bill to amend section 26, chapter 80, of the Revised Statutes, title "Real Estate,"

Together with sundry amendments which had been proposed,

Reported the same with an amendment as a substitute for the original bill and proposed amendment.

The amendment proposed by the committee reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That when any real estate shall be hereafter conveyed, and the purchase money, or any part thereof, shall remain unpaid at the time of the conveyance, the grantor shall not thereby have a lien for the same against subsequent *purchasers*, unless it be expressly stated in the deed what part of the consideration remains unpaid; but the grantor shall have a lien as against his grantee for the payment of the purchase money, whether expressed or not in the deed.

§ 2. That section 26, chapter 80, of the Revised Statutes, title "Real Estate," be, and the same is hereby, repealed.

§ 3. This act shall take effect and be in force from its passage.

Mr. Talbott then moved to amend said amendment as follows:

After the word "purchasers," printed in italics, insert the words "or creditors."

And the question being taken thereon, it was decided in the negative.

The question was then taken on the adoption of the amendment proposed by the committee, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Clay and Wm. Johnson, were as follows, viz:

Those who voted in the affirmative, were—

E. P. Campbell,	John J. Gatewood,	Wm. Johnson,
James B. Casey,	D. R. Haggard,	A. L. Martin,
W. H. Chelf,	H. S. Hale,	Alfred T. Pope,
J. Q. Chenoweth,	Thomas F. Hargis,	K. F. Prichard,
Harrison Cockrill,	Edwin Hawes,	Emery Whitaker,
Wm. L. Conklin,	G. A. C. Holt,	Thos. Wrightson—20.
F. W. Darby,	John W. Johnson,	

Those who voted in the negative, were—

John S. Barlow,	William P. Duvall,	O. D. McManama,
R. A. Burton,	W. W. Frazer,	A. G. Talbott,
James F. Clay,	Jesse C. Gilbert,	W. L. Vories—10.
J. H. Dorman,		

Ordered, That said bill, as amended, be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Burton and Frazer, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	F. W. Darby,	William Johnson,
E. P. Campbell,	John J. Gatewood,	A. L. Martin,
James B. Casey,	D. R. Haggard,	A. L. McAfee,
W. H. Chelf,	Thomas F. Hargis,	Alfred T. Pope,
J. Q. Chenoweth,	Edwin Hawes,	K. F. Prichard,
Harrison Cockrill,	G. A. C. Holt,	Ben. J. Webb,
Wm. L. Conklin,	John W. Johnson,	Thos. Wrightson—21.

Those who voted in the negative, were—

R. A. Burton,	W. McKee Fox,	O. D. McManama,
James F. Clay,	W. W. Frazer,	E D. Standeford,
J. H. Dorman,	Jesse C. Gilbert,	A. G. Talbott,
William P. Duvall,	H. S. Hale,	W. L. Vories—12.

The Senate took up for consideration the resolution heretofore introduced in relation to the Law Institute of Chicago.

Said resolution reads as follows, viz:

WHEREAS, It is made known to this General Assembly that the library belonging to the Law Institute, in Chicago, was destroyed by the recent fire, and that other States have since contributed to it the volumes embodying their statute and common law; therefore,

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Secretary of State be directed to procure a full set of the Kentucky Reports, Stanton's Revised Statutes, Stanton's Code of Practice, Myers' Supplement, Monroe and Harlan's Digest, and Cofer's Digest, and to deliver said books to Hon. Samuel M. Moore for and on behalf of the said Law Institute.

Mr. Dorman then moved to amend said resolution by adding thereto the following:

2d. That the Secretary of State be also directed to procure and deliver a full set of said books, each, to the Librarian of the State Law Library at Columbia, South Carolina, to the Librarian of the State Law Library at Atlanta, Georgia, and to the Librarian of the

State Law Library at Jackson, Mississippi; said law libraries having been destroyed by fire during the late civil war.

Ordered, That said resolution and proposed amendment be referred to the Committee on Library and Public Buildings and Offices.

Leave was given to bring in the following bills, viz:

On motion of Mr. Wm. Johnson—

1. A bill for the benefit of the county of Nelson.

On motion of Mr. Barlow—

2. A bill to amend article 1st, chapter 84, title "Roads and Passways," of the Revised Statutes.

On motion of Mr. Fox—

3. A bill for the benefit of J. E. Cossen, late clerk of the Pulaski circuit court, and E. D. Porch, clerk of the Pulaski county court, and H. G. Trimble, clerk of the Pulaski circuit court.

On motion of Mr. John W. Johnson—

4. A bill to amend an act, entitled "An act to mark and define the line between the counties of Muhlenburg and McLean," approved March 21st, 1871.

On motion of Mr. Haggard—

5. A bill to repeal in part and amend in part an act, entitled "An act regulating the inspection and selling of tobacco in the city of Louisville," approved March 12th, 1870.

On motion of Mr. Frazer—

6. A bill for the benefit of the State House of Reform.

On motion of Mr. Webb—

7. A bill authorizing the Auditor of Public Accounts to settle the claim of Haly, Mahony & Co. against the State, in accordance with the award made by board of commissioners at a meeting of same, held in Frankfort, September 20th, 1871.

On motion of Mr. Standeford—

8. A bill for the benefit of the Kentucky Farmers' Mutual Insurance Company.

On motion of same—

9. A bill to regulate examiners' fees in Jefferson county.

On motion of Mr. Darby—

10. A bill to repeal an act, entitled "An act concerning the separate estates of married women," approved January 16th, 1868.

On motion of Mr. Chelf—

11. A bill to legalize certain proceedings of the Larue county court.

Ordered, That the Committee on Claims prepare and bring in the 1st and 7th; the Committee on Revised Statutes and Codes of Practice the 2d and 10th; the Committee on the Judiciary the 3d and 9th; the Committee on Propositions and Grievances the 4th; the Committee on Appropriations the 6th; the Committee on Banks and Insurance the 8th; the Committee on Courts of Justice the 11th, and that a select committee, composed of Messrs. Haggard, Haydon, Barlow, and Gatewood, be requested to prepare and bring in the 5th.

And then the Senate adjourned.

THURSDAY, DECEMBER 14, 1871.

A message was received from the House of Representatives, announcing that they had passed bills, which originated in the Senate, of the following titles, viz:

An act authorizing the recording of plats of Briensburg and Calvert City, in Marshall county.

An act to change the time of holding the Mercer county quarterly court.

An act to regulate the time of holding the Caldwell quarterly courts.

That they had passed bills and adopted a resolution of the following titles, viz:

1. An act for the benefit of Michael Ryan, of Simpson county, and Major Fields, of Ballard county.

2. An act to provide for recording deeds to burial lots in Green Lawn Cemetery at Franklin.

3. An act to amend sections 4 and 5, article 2, chapter 32, of the Revised Statutes.

4. An act to incorporate Massack Lodge, No. 137, Independent Order of Odd Fellows.

5. An act to amend an act, entitled "An act to amend the charter of the city of Frankfort," approved March 15th, 1871.

6. An act to amend the charter of the town of Winchester.

7. An act for the benefit of Madisonville.

8. An act to incorporate the Pendleton Building and Savings Association of Falmouth.

9. An act to incorporate the Observer and Reporter Printing Company.

10. An act to change the time of holding the April term of the Whitley quarterly court.

11. An act to amend section 5, article 2, chapter 83, of the Revised Statutes.

12. An act to amend the charter of the New Providence and Princeton Railroad Company," approved March 12th, 1870.

13. Resolution providing for a recess of the General Assembly.

Which bills and resolution were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st to the Committee on Finance; the 2d, 3d, 8th, and 11th to the Committee on Revised Statutes and Codes of Practice; the 4th, 6th, and 9th to the Committee on the Judiciary; the 5th to the Committee on Privileges and Elections; the 7th and 12th to the Committee on Railroads, and the 10th to the Committee on Courts of Justice.

Mr. Clay presented the petition of sundry citizens of Union county and others, living along the valley of Tradewater, asking an appropriation of money for the improvement of said stream.

Which was received, the reading dispensed with, and referred to the Committee on Sinking Fund.

The Senate took up for consideration the amendment proposed by the House of Representatives to a resolution, which originated in the Senate, entitled

Resolution in relation to Congressional apportionment.

The amendment proposed by the House of Representatives makes the number of the committee ten instead of nine.

The question was then taken on the adoption of the amendment proposed by the House of Representatives, and it was decided in the affirmative.

Mr. Talbott, from the Committee on Charitable Institutions, presented the Report of the Board of Managers of the Institution for Deaf-Mutes at Danville.

[*For Report—see Legislative Document No.* 4.]

Mr. Talbott then offered the following resolution, viz:

Resolved, That one thousand copies of the foregoing report be printed, two hundred for the use of members of the Senate, and eight hundred for the use of the Institution, and that those intended for the use of the Senators be enveloped and stamped.

Which was adopted.

The following bills were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Pope, from the Committee on Banks and Insurance—

1. A bill to re-enact an act to amend an act, entitled "An act to provide for the incorporation and regulation of Fire, Marine, Health, Accident, Live Stock, and all other than Life Insurance Companies," approved March 12th, 1871.

By Mr. Gilbert, from the Committee on Courts of Justice—

2. A bill to amend article 2, chapter 17, of the Revised Statutes.

By Mr. Haggard, from the Committee on Propositions and Grievances—

3. A bill to better define the duties of overseers of public highways in Cumberland county.

By Mr. Chelf, from the Committee on Revised Statutes and Codes of Practice—

4. A bill to amend an act to protect small birds and game in the counties of Daviess and Lyon."

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Barlow, from the Committee on Claims, to whom had been referred leave, reported

A bill for the benefit of the county of Nelson.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

Said bill was read a third time as follows, viz:

WHEREAS, It appears to the satisfaction of this General Assembly that the clerks of the county court for the county of Nelson collected money for the sale of vacant lands in said county in the years 1868, 1870, and 1871, amounting to the sum of three hundred and fifty-three dollars and eighty-seven cents, and through mistake paid said sum into the Treasury of this State, instead of the treasury for said county; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts of this State is hereby directed to draw his warrant on the Treasury in favor of the county of Nelson for the sum of three hundred and fifty-three dollars and eighty-seven cents, payable out of any money in the Treasury not otherwise appropriated.

§ 2. This act shall be in force from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	Wm. P. Duvall,	William Johnson,
R. A. Burton,	W. McKee Fox,	A. L. Martin,
E. P. Campbell,	W. W. Frazer,	A. L. McAfee,
James B. Casey,	John J. Gatewood,	O D. McManama,
W. H. Chelf,	Jesse C. Gilbert,	Alfred T. Pope,
J. Q. Chenoweth,	D. R. Haggard,	K. F. Prichard,
James F. Clay,	H. S. Hale,	A. G. Talbott,
Harrison Cockrill,	Thomas F. Hargis,	W. L. Vories,
Wm. L. Conklin,	Edwin Hawes,	Ben. J. Webb,
F. W. Darby,	G. A. C. Holt,	Emery Whitaker,
J. H. Dorman,	John W. Johnson,	Thos. Wrightson—33.

In the negative—none.

Resolved, That the title of said bill be as aforesaid.

Mr. Pope, from the Committee on the Judiciary, to whom had been recommitted a bill, which originated in the House of Representatives, entitled

An act for the benefit of James F. Dempsey, of Hopkins county,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That when James F. Dempsey, of the county of Hopkins, and State of Kentucky, shall have been examined in the proper manner touching his qualifications to practice as an attorney-at-law in all the inferior and superior courts of this State, and found qualified, so far

as relates to his practicing law, he is freed from all the disabilities of infancy, subject, however, to all the liabilities in the discharge of the duties of said office that a man twenty-one years old would be.

§ 2. This act to take effect from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Hargis and Dorman, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	F. W. Darby,	A. L. Martin,
R. A. Burton,	Wm. P. Duvall,	O. D. McManama,
E. P. Campbell,	John J. Gatewood,	Alfred T. Pope,
James B. Casey,	D. R. Haggard,	K. F. Prichard,
W. H. Chelf,	H. S. Hale,	A. G. Talbott,
J. Q. Chenoweth,	Edwin Hawes,	W. L. Vories,
James F. Clay,	G. A. C. Holt,	Ben. J. Webb,
Harrison Cockrill,	John W. Johnson,	Thos. Wrightson—26.
G. W. Connor,	Wm. Johnson,	

Those who voted in the negative, were—

Wm. L. Conklin,	W. W. Frazer,	J. B. Haydon,
J. H. Dorman,	Thomas F. Hargis,	Emery Whitaker—6.

Resolved, That the title of said bill be as aforesaid.

The motion heretofore made by Mr. Prichard to reconsider the vote by which the Senate had passed a bill, entitled

An act to amend the charter of the Kentucky and Great Eastern Railway Company,

Was by him withdrawn.

Mr. Gilbert, from the Committee on Courts of Justice, asked to be discharged from the further consideration of a leave to bring in a bill, entitled

A bill for the benefit of officers of circuit courts.

Which was granted.

Mr. John W. Johnson, from the Committee on Privileges and Elections, to whom was referred a resolution, which originated in the House of Representatives, entitled

Resolution in relation to the election of State officers,

Reported the same with an amendment.

Said resolution reads as follows, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That on the 9th day of January, 1872, at 11 o'clock, A. M., the General Assembly will proceed to the election of Public Printer, Public Binder, and State Librarian.

The amendment proposed by the committee is as follows, viz:

Strike out the "9th," and insert in lieu thereof the "12th."

Mr. Wrightson then moved to amend the amendment proposed by the committee as follows, viz:

Strike out the "12th," and insert the "16th."

And the question being taken thereon, it was decided in the affirmative.

The question was then taken on the adoption of the amendment as proposed by Mr. Wrightson, and it was decided in the affirmative.

The question was then taken on the adoption of the House resolution, as amended, and it was decided in the affirmative.

Mr. Chelf, from the Committee on Revised Statutes and Codes of Practice, to whom had been referred a bill, entitled

A bill for the benefit of the town of Hawesville,

Reported the same with an amendment.

Which was adopted.

Ordered, That said bill, as amended, be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Chelf, from the Committee on Revised Statutes and Codes of Practice, asked to be discharged from the further consideration of a leave to them referred to bring in a bill, entitled

A bill for the benefit of the clerks of civil and criminal courts of this Commonwealth.

The bill presented to the committee for approval was read simply for the information of the Senate, and is as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the clerks of the circuit and criminal courts of this Commonwealth shall receive the same fees in criminal cases as now allowed by law for similar services in civil cases.

§ 2. That at the end of each term of their respective courts they shall make out their fee bills against the Commonwealth, which shall be examined by the Commonwealth's Attorney, and when approved by the court, the same shall be paid by the Trustee of the Jury Fund of the county in which said court is held.

§ 3. This act shall take effect from its passage.

The question was then taken on discharging the committee from the further consideration of the leave, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. McManama and Holt, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	F. W. Darby,	Wm. Johnson,
R. A. Burton,	John J. Gatewood,	A. L. Martin,
E. P. Campbell,	Jesse C. Gilbert,	A. L. McAfee,
James B. Casey,	D. R. Haggard,	Alfred T. Pope,
W. H. Chelf,	Thomas F. Hargis,	K. F. Prichard,
James F. Clay,	Edwin Hawes,	A. G. Talbott,
Wm. L. Conklin,	J. B. Haydon,	Ben. J. Webb,
G. W. Connor,	John W. Johnson,	Thos. Wrightson—24.

Those who voted in the negative, were—

Harrison Cockrill,	W. W. Frazer,	O. D. McManama,
J. H. Dorman,	H. S. Hale,	W. L. Vories,
William P. Duvall,	G. A. C. Holt,	Emery Whitaker—10.
W. McKee Fox,		

Mr. Chelf, from the Committee on Revised Statutes and Codes of Practice, to whom had been referred leave to bring in a bill, entitled

A bill to repeal an act, entitled "An act concerning the separate estate of married women," approved January 16th, 1868,

Asked to be discharged from the further consideration of said leave.

Which was granted.

The Senate took up for consideration a resolution, which originated in the House of Representatives, entitled

Resolution providing for a recess of the General Assembly.

Said resolution reads as follows, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That when this Legislature adjourns on the 20th day of December, 1871, it will adjourn to meet on the 9th of January, 1872.

Mr. Haydon moved to amend said resolution as follows, viz:

Strike out the "20th," and insert in lieu thereof the "22d."

Mr. Wm. Johnson moved a division of the question.

The question was then propounded by the Speaker, "Shall the 20th, the time fixed in the original resolution, remain unchanged?"

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Haydon and Holt, were as follows, viz:

Those who voted in the affirmative, were—

R. A. Burton,	W. McKee Fox,	A. L. Martin,
E. P. Campbell,	W. W. Frazer,	A. L. McAfee,
James B. Casey,	John J. Gatewood,	O. D. McManama,
W. H. Chelf,	Jesse C. Gilbert,	Alfred T. Pope,

J. Q. Chenoweth,	D. R. Haggard,	K. F. Prichard,
James F. Clay,	H. S. Hale,	A. G. Talbott,
Harrison Cockrill,	Thomas F. Hargis,	W. L. Vories,
G. W. Connor,	Edwin Hawes,	Ben. J. Webb,
F. W. Darby,	John W. Johnson,	Emery Whitaker,
William P. Duvall,	William Johnson,	Thos. Wrightson—30.

Those who voted in the negative, were—

John S. Barlow,	J. H. Dorman,	J. B. Haydon—4.
Wm. L. Conklin,		

So the motion to strike out was decided in the negative.

Mr. Vories then moved to amend said resolution by striking out the "9th," and inserting in lieu thereof the "4th."

A division of the question was again moved.

The Speaker then propounded the question, "Shall the 9th, the time fixed in the original resolution, remain unchanged?"

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Vories and Haydon, were as follows, viz:

Those who voted in the affirmative, were—

E. P. Campbell,	John J. Gatewood,	John W. Johnson,
W. H. Chelf,	Jesse C. Gilbert,	A. L. Martin,
J. Q. Chenoweth,	D. R. Haggard,	A. L. McAfee,
James F. Clay,	H. S. Hale,	Alfred T. Pope,
Harrison Cockrill,	Thomas F. Hargis,	K. F. Prichard,
F. W. Darby,	Edwin Hawes,	Ben. J. Webb,
William P. Duvall,	G. A. C. Holt,	Thos. Wrightson—22.
W. W. Frazer,		

Those who voted in the negative, were—

John S. Barlow,	J. H. Dorman,	O. D. McManama,
R. A. Burton,	W. McKee Fox,	A. G. Talbott,
James B. Casey,	J. B. Haydon,	W. L. Vories,
Wm. L. Conklin,	Wm. Johnson,	Emery Whitaker—13.
G. W. Connor,		

The question was then taken on the adoption of said resolution, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Vories and Haydon, were as follows, viz:

Those who voted in the affirmative, were—

R. A. Burton,	Wm. P. Duvall,	Edwin Hawes,
E. P. Campbell,	W. McKee Fox,	John W. Johnson,
W. H. Chelf,	W. W. Frazer,	A. L. Martin,
J. Q. Chenoweth,	John J. Gatewood,	A. L. McAfee,
James F. Clay,	Jesse C. Gilbert,	Alfred T. Pope,

Harrison Cockrill, D. R. Haggard, Ben. J. Webb,
G. W. Connor, H. S. Hale, Thos. Wrightson—23.
F. W. Darby, Thomas F. Hargis,

Those who voted in the negative, were—

John S. Barlow, G. A. C. Holt, A. G. Talbott,
Wm. L. Conklin, Wm. Johnson, W. L. Vories,
J. H. Dorman, O. D. McManama, Emery Whitaker—11.
J. B. Haydon, K. F. Prichard,

Mr. Chenoweth, from the Committee on Railroads, to whom had been referred a bill, which originated in the House of Representatives, entitled

An act to amend the charter of the New Providence and Princeton Railroad Company, approved March 12th, 1870,

Reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Conklin offered the following joint resolution.

The rule of the Senate being dispensed with, said resolution was taken up and read as follows, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That a select committee, to consist of three Senators, be appointed by the Speaker of the Senate, to act in conjunction with a similar committee to be appointed by the Speaker of the House of Representatives, whose duty it shall be to revise the revenue laws, and to take into consideration the finances of the State, and to report by bill or otherwise.

Which was adopted.

Whereupon Messrs. Conklin, Hale, and Casey were appointed said committee on the part of the Senate.

Mr. Martin offered the following resolution, viz:

Resolved, That a committee of three be appointed by the Speaker, whose duty it shall be to inquire into and report what legislation is necessary, if any, to carry into effect the act establishing the State House of Reform.

Which was adopted.

Whereupon, Messrs. Martin, Webb, and Prichard were appointed said committee.

Mr. Wrightson offered the following resolution, viz:

Resolved, That for the purpose of allowing Senators and Members of the House of Representatives of the legal profession to attend the

legal convention to be held in Louisville on to-morrow, that when the Senate adjourns to-day that it will adjourn to meet again on Monday next at 10 o'clock, A. M.

Mr. Wm. Johnson offered the following amendment as a substitute for said resolution, viz:

Resolved, That leave of absence be granted to such Senators as may desire to attend the convention of lawyers to be held in Louisville on to-morrow.

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Barlow and Holt, were as follows, viz:

Those who voted in the affirmative, were—

E. P. Campbell,	Wm. P. Duvall,	A. L. Martin,
James B. Casey,	Jesse C. Gilbert,	A. L. McAfee,
J. Q. Chenoweth,	D. R. Haggard,	O. D. McManama,
Harrison Cockrill,	Edwin Hawes,	K. F. Prichard,
Wm. L. Conklin,	John W. Johnson,	W. L. Vories,
F. W. Darby,	Wm. Johnson,	Thos. Wrightson—18.

Those who voted in the negative, were—

John S. Barlow,	W. McKee Fox,	G. A. C. Holt,
R. A. Burton,	W. W. Frazer,	Alfred T. Pope,
W. H. Chelf,	John J. Gatewood,	A. G. Talbott,
James F. Clay,	H. S. Hale,	Ben. J. Webb,
G. W. Connor,	Thomas F. Hargis,	Emery Whitaker—17.
J. H. Dorman,	J. B. Haydon,	

The question was then taken on the adoption of the resolution as amended, and it was decided in the affirmative.

Leave was given to bring in the following bills, viz:

On motion of Mr. Connor—

1. A bill to amend the charter of the Frankfort, Paris, and Big Sandy Railroad Company.

On motion of Mr. McAfee—

2. A bill to amend section 13 of the Revised Statutes.

On motion of same—

3. A bill to repeal an act, entitled "An act to further regulate the appointment of attorneys *pro tem.* for the Commonwealth," approved February 7th, 1865.

On motion of Mr. Talbott—

4. A bill for the benefit of the Deaf and Dumb Asylum at Danville.

On motion of Mr. Fox—

5. A bill for the benefit of Allen Jones, late sheriff of Pulaski county.

On motion of Mr. Chenoweth—

6. A bill to incorporate the Franklin Academical Institute.

On motion of same—

7. A bill for the benefit of W. E. Clelland, sheriff of Mercer county.

On motion of Mr. Prichard—

8. A bill to incorporate the Kentucky River Improvement, Coal, Lumber, and Transportation Company.

On motion of Mr. McManama—

9. A bill to amend chapter 7, section 267, Criminal Code of Practice.

On motion of Mr. Pope—

10. A bill for the benefit of the estate of Thos. H. Crawford.

On motion of Mr. Chelf—

11. A bill to amend an act, entitled "An act to incorporate the Cumberland and Ohio Railroad Company," approved March 24th, 1869.

Ordered, That the Committee on Railroads prepare and bring in the 1st and 11th; the Committee on the Judiciary the 2d, 5th, and 10th; the Committee on Courts of Justice the 3d; the Committee on Charitable Institutions the 4th; the Committee on Education the 6th; the Committee on Finance the 7th; the Committee on Internal Improvement the 8th, and the Committee on Revised Statutes and Codes of Practice the 9th.

And then the Senate adjourned.

FRIDAY, DECEMBER 15, 1871.

In the absence of the Presiding Officer of the Senate, Mr. Whitaker was called to the Chair.

A message was received from the House of Representatives, announcing that they had passed a bill and adopted a resolution of the following titles, viz:

An act to amend an act, entitled "An act to incorporate the Louisville, Harrod's Creek, and Westport Railway Company."

Resolution in relation to disposition of State stock in certain railroad companies.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with, it was referred to the Committee on Railroads.

Said resolution was referred to the Committee on Sinking Fund.

Mr. Vories presented the remonstrance of sundry citizens of Trimble county, remonstrating against the passage of an act prohibiting seining for fish in Little Kentucky river.

Which was received, the reading dispensed with, and referred to the Committee on Agriculture and Manufactures.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Gilbert, from the Committee on Courts of Justice—

An act to repeal an act, entitled "An act to protect the public highways in Clark and Montgomery counties."

By same—

An act to fix the time of holding the Montgomery circuit court.

By same—

An act to change the time of holding the April term of the Whitley quarterly court.

By Mr. Webb, from the Committee on Agriculture and Manufactures—

An act to protect fish in Drake's creek, in Simpson county.

With amendments to the last named bill.

Which were adopted.

Ordered, That said bills, the last as amended, be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Gilbert, from the Committee on Courts of Justice, reported a bill, entitled

A bill to legalize certain orders and proceedings of the Larue county court.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Leave was given to bring in the following bills, viz:

On motion of Mr. Gilbert—

1. A bill to amend the charter of the town of Birmingham, in Marshall county.

On motion of Mr. Standeford—

2. A bill for the benefit of the commissioners of common schools in Jefferson county.

A select committee, consisting of Messrs. Gilbert, Hale, and Campbell, were requested to prepare and bring in the 1st, and the Committee on Education was directed to prepare and bring in the 2d.

And then the Senate adjourned.

SATURDAY, DECEMBER 16, 1871.

A message was received from the House of Representatives, announcing that they had concurred in the adoption of resolutions, which originated in the Senate, of the following titles, viz:

Resolution in relation to the sale of the stock in turnpike roads.

Resolution in relation to the officers of the General Assembly.

With an amendment to the last named resolution.

Which was taken up, twice read, and concurred in.

A message was also received from the House of Representatives, announcing their disagreement to the passage of bills, which originated in the Senate, of the following titles, viz:

An act to repeal an act, entitled "An act to amend section 611, Civil Code of Practice," approved March 4th, 1865.

An act to repeal an act, entitled "An act to amend section 760, Civil Code of Practice," approved March 4th, 1865.

That they had passed bills, which originated in the Senate, of the following titles, viz:

An act for the benefit of James Rhey Boyd, empowering him to obtain license to practice law as if of full age.

An act to amend an act, entitled "An act in relation to stationery furnished members of the General Assembly," approved March 16th, 1869.

An act to provide for the removal and re-location of the county seat of Meade county.

With an amendment as a substitute for said last named bill.

Which was taken up, twice read, and concurred in.

A message was also received from the House of Representatives, announcing that they had passed bills of the following titles, viz:

1. An act for the benefit of Marion Baker, of Webster county.

2. An act to revise and codify the charter of the city of Covington.

3. An act to amend an act, entitled "An act for the benefit of Lincoln county," approved March 8th, 1871.

4. An act to repeal part of an act, entitled "An act to prohibit the sale of intoxicating liquors along the line of certain turnpike roads in Washington county," approved February 24th, 1871.

5. An act to amend an act for the benefit of the police judge of Hawesville, Hancock county," approved February 10th, 1871.

6. An act for the benefit of W. H. Hughlett, jailer of Simpson county.

7. An act to amend the charter of the city of Hopkinsville.

8. An act to re-enact an act for the benefit of the citizens of the town of Williamsburg, in Whitley county.

9. An act for the benefit of James W. Lindon, late sheriff of Breathitt county.

10. An act to amend an act incorporating the Public Library of Kentucky.

11. An act to reduce the salary of the gate-keeper on the Wilderness Turnpike Road, in Knox and Josh Bell counties.

12. An act to amend an act, entitled "An act exempting salt wagons from paying toll on the Wilderness Turnpike Road, in Knox and Josh Bell counties.

13. An act to repeal an act, entitled "An act to repeal the court of common pleas in the counties of Hickman, Fulton, Graves, and Marshall, in the 1st judicial district," approved February 22d, 1871, so far as it applies to Hickman county, and to re-enact an act, approved February 5th, 1867, creating the court of common pleas in the first, third, and fourteenth judicial districts, so far as it relates to Hickman county in the first judicial district.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st, 2d, 7th, and 8th to the Committee on the Judiciary; the 4th to the Committee on Religion and Morals; the 5th to the Committee on Revised Statutes and Codes of Practice; the 6th to the Committee on Claims; the 9th to the Committee on Finance; the 10th to the Committee on Library and Public Buildings and Offices; the 11th and 12th to the Committee on Internal Improvement, and the 3d and 13th were ordered to be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A message was received from the Governor by Mr. Botts, Assistant Secretary of State.

Said message was taken up and read as follows, viz:

STATE OF KENTUCKY, EXECUTIVE DEPARTMENT,
FRANKFORT, December 16, 1871.

Gentlemen of the Senate:

I hereby nominate for your advice and consent the following persons as suitable to be commissioned as notaries public, viz:

Thomas S. Adams, Fleming county.
Wm. O. B. Ratliff, Pike county.
J. W. Poynter, Clark county.
Mace Leiber, Jefferson county.
C. H. Schmidt, Jefferson county.
W. H. Saunders, Jefferson county.
James H. Settle, Jefferson county.
Col. Reginald H. Thompson, Jefferson county.
John Brevard, Simpson county.
W. Easterly, Simpson county.
John E. Hamilton, Kenton county.
Henry Buchanan, Campbell county.
A. C. Tanner, McLean county.
Wm. A Perry, Henry county.
Thomas B. Hays, Ballard county.
E. B. Colgin, Daviess county.
Wade Voluzett, Hart county.
John N. Herdman, Warren county.
W. Bright, Fayette county.
H. Marshall Buford, Fayette county.
G. W. Darnall, Fayette county.
W. M. Conley, Pike county.
C. T. Cheek, Barren county.

Respectfully,

P. H. LESLIE.

Resolved, That the Senate advise and consent to said appointments.

The following bills were reported from the committee directed to prepare and bring in the same, viz:

By Mr. Wm. Johnson, from the Committee on the Judiciary—

A bill for the benefit of J. E. Cossen, H. G. Trimble, and E. D. Porch, of the county of Pulaski.

By Mr. Pope, from the Committee on the Judiciary—

A bill for the benefit of the estate of Thos. H. Crawford.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Wm. Johnson, from the Committee on the Judiciary, asked to be discharged from the further consideration of a leave to bring in a bill, entitled

A bill to regulate examiners' fees in Jefferson county.

Which was granted.

Mr. Wm. Johnson, from the Committee on the Judiciary, to whom had been referred a bill, which originated in the House of Representatives, entitled

An act to incorporate Massack Lodge, No. 137, Independent Order of Odd Fellows,

Reported the same, with the expression of opinion that said bill ought not to pass.

And the question being taken on ordering said bill to be read a third time, it was decided in the negative.

So said bill was disagreed to.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Holt, from the Committee on Military Affairs—

An act for the benefit of Richard W. Neely.

By Mr. Haggard, from the Committee on Propositions and Grievances—

An act for the benefit of John E. Walton, of Kenton county.

By Mr. Talbott, from the Committee on Railroads—

An act to amend an act, entitled "An act to incorporate the Louisville, Harrod's Creek, and Westport Railway Company."

By Mr. John W. Johnson, from the Committee on Religion and Morals—

An act to prevent the sale of spirituous or malt liquors in the town of Elkton, or within the limits of one mile of the corporate limits thereof.

With an amendment as a substitute for said last named bill.

Which was adopted.

Ordered, That said bills, the last as amended, be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Hale, from the Committee on Finance, to whom had been referred a bill, which originated in the House of Representatives, entitled

An act for the benefit of Michael Ryan, of Simpson county, and Major Fields, of Ballard county,

Reported the same without amendment.

On motion, the bill was recommitted to the Committee on Finance.

The yeas and nays being required thereon by Messrs. Whitaker and Hale, were as follows, viz :

Those who voted in the affirmative, were--

John S. Barlow,	D. R. Haggard,	O. D. McManama,
James B. Casey,	Edwin Hawes,	Alfred T. Pope,
James F. Clay,	J. B. Haydon,	K. F. Prichard,
Harrison Cockrill,	G. A. C. Holt,	E. D. Standeford,
G. W. Connor,	John W. Johnson,	A. G. Talbott,
J. H. Dorman,	Wm. Johnson,	Ben. J. Webb—20.
Wm. P. Duvall,	A. L. Martin,	

Those who voted in the negative, were—

W. McKee Fox, John J. Gatewood, H. S. Hale—3.

The following message was received from the House of Representatives by Mr. J. S. Chrisman, viz :

I am instructed by the House of Representatives to inform this body that they have concurred in a resolution of the Senate in relation to the revision of the revenue laws of this Commonwealth; and I am further instructed to advise this body that the House of Representatives did, prior to the reception of said resolution, create a committee for the same purpose, to act in conjunction with a committee of the Senate.

The Senate took up for consideration a bill, entitled

A bill to incorporate the Exchange Bank and Tobacco Warehouse Company.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The Senate took up for consideration a bill, entitled

A bill to amend an act, entitled "An act to provide for the organization and regulation of incorporated companies, except banking, insurance, and railroad companies," approved March 15th, 1871.

Mr. Prichard moved an amendment to said bill.

On motion of Mr. Whitaker,

Ordered, That the further consideration of said bill and proposed amendment be postponed, and made the special order of the day for the 12th of January, 1872.

A message was received from the House of Representatives, asking leave to withdraw the announcement of their disagreement to the passage of bills, which originated in the Senate, of the following titles, viz:

An act to repeal an act, entitled "An act to amend section 611, Civil Code of Practice," approved March 4th, 1865.

An act to repeal an act, entitled "An act to amend section 760, Civil Code of Practice," approved March 4th, 1865.

Which was granted, and the bills delivered to messenger.

Leave was given to bring in the following bills, viz:

On motion of Mr. Connor—

1. A bill to amend the charter of the Eastern Kentucky Marble, Lithographic Stone, and Mining Company, approved March 21st, 1870.

On motion of Mr. Hale—

2. A bill to change the time of holding the circuit courts in the 1st judicial district.

On motion of Mr. Whitaker—

3. A bill for the benefit of the county court clerks of this State.

On motion of Mr. Clay—

4. A bill to incorporate the Uniontown and Southern Railroad Company.

Ordered, That the Committee on Agriculture and Manufactures prepare and bring in the 1st; the Committee on Courts of Justice the 2d and 3d, and the Committee on Railroads the 4th.

Mr. Casey, from the Committee on Enrollments, reported that the committee had examined enrolled bills and a resolution, which originated in the Senate, of the following titles, viz:

An act authorizing the recording of plats of Briensburg and Calvert City, in Marshall county;

An act to change the time of holding the Mercer county quarterly court;

An act to regulate the time of holding the Caldwell quarterly court;

An act discontinuing so much of the public road leading from Bardstown to Elizabethtown as lies within one mile of Bardstown;

An act to amend the charter of the Paducah, Benton, and Murray Gravel Road Company;

Resolution in relation to Congressional apportionment;

And enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz:

An act to amend the charter of the Brooksville and Rock Spring Turnpike Road Company;

An act for the benefit of J. F. Dempsey, of Hopkins county;

An act to amend the charter of the New Providence and Princeton Railroad Company, approved March 12th, 1871;

Resolution providing for a recess of the General Assembly;

And had found the same truly enrolled.

Said bills and resolutions having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Casey reported that the committee had performed that duty.

And then the Senate adjourned.

MONDAY, DECEMBER 18, 1871.

A message was received from the House of Representatives, announcing their disagreement to the passage of a bill, which originated in the Senate, entitled

An act to amend section 26, chapter 80, of the Revised Statutes, title "Real Estate."

That they had passed bills, which originated in the Senate, of the following titles, viz:

An act to amend an act, entitled "An act to organize the South Kentucky Railroad Company," approved March 15th, 1871.

An act to incorporate the Lewisburg and Taylor's Mill Turnpike Road Company, in Mason county.

That they had passed bills of the following titles, viz:

1. An act for the benefit of W. J. Lisle, administrator of Thomas Lisle.

2. An act to amend an act, entitled "An act to incorporate the town of New Market, in Marion county," approved March 21st, 1871.

3. An act for the benefit of Floyd county.

4. An act for the benefit of Mrs. Rebecca C. Hill, of Barlow City, in Ballard county.

5. An act to increase the county levy of McLean county.

6. An act in relation to taxes for road purposes in Henderson county.

7. An act for the benefit of Hopkins county.

8. An act to prevent the destruction of fish in the stream of Bank Lick, in Kenton county.

9. An act to prevent the destruction of fish in the Kentucky river and its tributaries.

10. An act for the benefit of B. K. Bethurum, late sheriff of Rockcastle county, and his sureties.

11. An act for the benefit of William McMurtry, of Monroe county.

12. An act to continue in force an act, entitled "An act for the benefit of A. W. Nickell, late sheriff of Johnson county, and his securities," approved February 3d, 1871.

13. An act for the benefit of the town of Glasgow.

14. An act to repeal an act to prohibit the sale of spirituous, malt, or vinous liquors in Campbellsville.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st, 3d, 5th, and 6th to the Committee on Courts of Justice; the 2d and 13th to the Committee on the Judiciary; the 4th, 7th, 10th, 11th, and 12th to the Committee on Finance; the 8th and 9th to the Committee on Agriculture and Manufactures, and the 14th to the Committee on Religion and Morals.

The following petitions were presented, viz:

By Mr. Prichard—

1. The petition of James W. Mullen, clerk of the Boyd county court, in relation to an increase of fees in certain cases.

By Mr. Burton—

2. The petition of sundry citizens of Washington county, asking

the repeal of an act in relation to the sale of spirituous liquors along the lines of certain turnpike roads in said county.

Which petitions were received, the reading dispensed with, and referred—the 1st to the Committee on the Judiciary, and the 2d to the Committee on Religion and Morals.

A message was received from the Governor by Mr. Botts, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills and resolutions, which originated in the Senate, of the following titles, viz:

An act to change the time of holding the Mercer county quarterly court.

An act discontinuing so much of the public road leading from Bardstown to Elizabethtown as lies within one mile of Bardstown.

An act to amend the charter of the Paducah, Benton, and Murray Gravel Road Company.

An act authorizing the recording of plats of Briensburg and Calvert City, in Marshall county.

An act to regulate the time of holding the Caldwell quarterly court.

Resolution in relation to Congressional apportionment.

Resolution in regard to tax on cotton levied by the General Government.

Mr. Talbott, from the Committee on Charitable Institutions, reported a bill, entitled

A bill for the benefit of the Deaf and Dumb Asylum at Danville.

Which was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

Said bill was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the annual sum of three thousand dollars be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to the Deaf and Dumb Asylum at Danville, to be applied by the board of commissioners thereof—first, to repairing and keeping in good repair the buildings and fencing on said Asylum grounds, and the residue to defraying the expenses of the pupils hereafter admitted into said Institution over and above the number now provided for by law. Said sum to be paid quarterly from the first day of January, 1872; and the Auditor, on the application of the president of said board of commissioners, is hereby directed to issue his warrant on the Treasurer for the payment of the same.

§ 2. This act to be in force from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Robert Boyd,	J. H. Dorman,	A. L. Martin,
R. A. Burton,	Wm. P. Duvall,	A. L. McAfee,
E. P. Campbell,	W. McKee Fox,	O. D. McManama,
James B. Casey,	W. W. Frazer,	Alfred T. Pope,
W. H. Chelf,	John J. Gatewood,	K. F. Prichard,
J. Q. Chenoweth,	Jesse C. Gilbert,	E. D. Standeford,
James F. Clay,	D. R. Haggard,	A. G. Talbott,
Harrison Cockrill,	Thomas F. Hargis,	W. L. Vories,
Wm. L. Conklin,	J. B. Haydon,	Ben. J. Webb,
G. W. Connor,	John W. Johnson,	Emery Whitaker—32.
F. W. Darby,	William Johnson,	

Those who voted in the negative, were—

John S. Barlow,	H. S. Hale,	Edwin Hawes—3.

Resolved, That the title of said bill be as aforesaid.

Mr. Conklin, from the Committee on Finance, reported a bill, entitled

A bill to amend section 6, article 6, chapter 32, of the Revised Statutes.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Gatewood, from the Committee on Education—

An act for the benefit of school districts No. 8, fractional, and No. 51, in Hart county.

By Mr. Standeford, from the Committee on Internal Improvement—

An act to authorize the county court of Warren county to levy a tax and issue bonds for bridge purposes.

By same—

An act to amend an act, entitled "An act to incorporate the West Paris Bridge Company," approved March 15th, 1871.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Gatewood, from the Committee on Education, to whom had been referred a bill, which originated in the House of Representatives, entitled

An act to incorporate the Bourbon Female College,

Reported the same, with the expression of opinion that said bill ought not to pass.

And the question being taken on ordering said bill to be read a third time, it was decided in the negative.

So said bill was disagreed to.

Mr. Gatewood, from the Committee on Education, asked to be discharged from the further consideration of a leave to bring in a bill, entitled

A bill to incorporate Bowling Green Presbyterian Female College.

Which was granted.

Mr. Campbell moved that a committee be appointed, whose duty it shall be to withdraw from the House of Representatives the announcement of the passage of a bill by the Senate, which originated in the House of Representatives, entitled

An act to amend an act, entitled "An act to incorporate the Louisville, Harrod's Creek, and Westport Railway Company."

And the question being taken thereon, it was decided in the negative.

Leave was given to bring in the following bills, viz:

On motion of Mr. Connor—

1. A bill to change the time of holding the annual court of claims of Bath county.

On motion of Mr. Whitaker—

2. A bill for the benefit of Samuel Ellis, late sheriff of Lewis county, and others.

On motion of same—

3. A bill for the benefit of Samuel Ellis, late sheriff of Lewis county.

On motion of Mr. Prichard—

4. A bill to repeal an act, entitled "An act to repeal an act authorizing county courts to make compensation to county court clerks under pension laws," approved January 14th, 1870.

On motion of same—

5. A bill to authorize county courts to make compensation to clerks for services rendered under the pension and bounty laws.

On motion of Mr. Chenoweth—

6. A bill to require clerks of circuit courts to record replevin and sale bonds.

On motion of Mr. Darby—

7. A bill to provide for the issual of executions in certain cases.

On motion of Mr. Chelf—

8. A bill to repeal section 142 of the Civil Code of Practice.

On motion of Mr Haydon—

9. A bill to change the time for holding the circuit courts in the 5th judicial district.

On motion of Mr. Standeford—

10. A bill for the benefit of J. W. Davis, of the city of Louisville.

Ordered, That the Committee on Courts of Justice prepare and bring in the 1st, 3d, and 6th; the Committee on Finance the 2d; the Committee on the Judiciary the 4th, 5th, 7th, and 10th, and the Committee on Revised Statutes the 8th and 9th.

Mr. Casey, from the Committee on Enrollments, reported that the committee had examined enrolled bills and resolutions, which originated in the Senate, of the following titles, viz:

An act to provide for the removal and re-location of the county seat of Meade county;

An act for the benefit of James Rhey Boyd, empowering him to obtain license to practice law as if of full age;

An act to amend an act, entitled "An act in relation to stationery furnished members of the General Assembly," approved March 16th, 1869;

Resolution in relation to the officers of the General Assembly;

Resolution in relation to the sale of the stock in turnpike roads;

And enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to repeal an act, entitled "An act to protect the public highways in Clark and Montgomery counties;"

An act to fix the time of holding the Montgomery circuit court;

An act to change the time of holding the April term of the Whitley quarterly court;

An act to amend an act, entitled "An act to incorporate the Louisville, Harrod's Creek, and Westport Railway Company;"

An act to amend an act, entitled "An act for the benefit of Lincoln county," approved March 8th, 1871.

And had found the same truly enrolled.

Said bills and resolutions having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Casey reported that the committee had performed that duty.

And then the Senate adjourned.

TUESDAY, DECEMBER 19, 1871.

A message was received from the House of Representatives, announcing that they had passed bills, which originated in the Senate, of the following titles, viz:

An act to re-enact an act, approved February 16th, 1866, entitled "An act to authorize the county court of Bourbon county to levy a tax to build a bridge across Hinkson creek."

An act for the benefit of the Carlisle and Jackstown Turnpike Road Company, upper route.

An act for the benefit of the county of Nelson.

An act to legalize certain orders and proceedings of the Larue county court.

An act to better define the duties of overseers of public highways in Cumberland county.

With an amendment to the last named bill.

Which was referred to the Committee on Propositions and Grievances.

A message was also received from the House of Representatives, announcing their concurrence in the amendment proposed by the Senate to a bill, which originated in the House of Representatives, entitled

An act to prevent the sale of spirituous, vinous, or malt liquors in the town of Elkton, Todd county, or within one mile of the corporate limits thereof.

That they had passed bills and adopted resolutions of the following titles, viz:

1. An act to incorporate the Preachers' Aid Society of the Louisville Annual Conference of the Methodist Episcopal Church, South.

2. An act to amend an act, entitled "An act for the benefit of manufacturing, furnace, and mining establishments in the counties of Greenup, Boyd, Carter, and Lawrence, so as to extend the provisions of said act to the counties of Lyon and Trigg.

3. An act to authorize the county court of Butler county to increase the county levy for county purposes.

4. An act for the benefit of Lewis S. Lee, late sheriff of Ballard county.

5. An act for the benefit of the Dix River and Lancaster Turnpike Road Company.

6. An act to establish an additional voting place in district No. 5, in McCracken county.

7. An act to authorize the county court of Menifee county to issue bonds to assist in building a court-house in said county.

8. An act for the benefit of the county court of Union county.

9. An act for the benefit of the present and late sheriff of Union county.

10. An act to change the time of holding the court of claims of Madison county.

11. An act to charter St. Mary's College, in Marion county.

12. An act to amend the charter of the Owensboro and Russellville Railroad.

13. An act to increase the bonded debt of the city of Dayton, in Campbell county.

14. An act to amend the charter of the Paducah Gas-light Company.

Resolution directing distribution of surplus funds in Bank of Kentucky.

Resolution in relation to the funeral of Mrs. C. S. Morehead.

Which bills and resolutions were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills and resolutions being dispensed with, they were referred—the 1st to the Committee on Religion and Morals; the 2d to the Committee on Agriculture and Manufactures; the 3d, 7th, and 10th to the Committee on Courts of Justice; the 4th to the Committee on Finance; the 5th to the Committee on Internal Improvement; the 6th to the Committee on Privileges and Elections; the 11th to the Committee on Education; the 13th to the Committee on the Judiciary; the 14th to the Committee on Revised Statutes and Codes of Practice, and the 8th, 9th, and 12th were ordered to be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A message was also received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills and resolutions, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of Geo. R. Lewis, jr.

An act for the benefit of Wm. R. Patterson, of Bath county.

An act to amend the charter of the New Providence and Princeton Railroad Company, approved March 12th, 1870.

An act to amend the charter of the Brooksville and Rock Spring Turnpike Road Company.

An act for the benefit of J. F. Dempsey, of Hopkins county.

Resolution in relation to the election of United States Senator.

Resolution providing for a recess of the General Assembly.

The following petitions were presented, viz:

By Mr. Haydon—

1. The petition of sundry citizens of Hardin county, in relation to the erection of a new court-house.

By Mr. Duvall—

2. The petition of sundry citizens of Scott county, praying the

passage of an act prohibiting the sale of spirituous liquors within two miles of White Sulphur.

By Mr. Darby—

3. The petition of sundry citizens of the Tradewater Valley, asking an appropriation of money for the improvement of said stream.

Which petitions were received, the reading dispensed with, and referred—the 1st to the Committee on the Judiciary; the 2d to the Committee on Propositions and Grievances, and the 3d to the Committee on Internal Improvement.

On motion of Mr. Talbott,

Ordered, That there be added two to the committee on revision of the revenue laws.

Whereupon, Messrs. Talbott and Whitaker were added to said committee.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Gilbert, from the Committee on Courts of Justice—

An act for the benefit of W. J. Lisle, administrator of Thomas W. Lisle.

By same—

An act for the benefit of Floyd county.

By same—

An act in relation to taxes for road purposes in Henderson county.

By same—

An act to increase the county levy of McLean county.

By Mr. Wm. Johnson, from the Committee on the Judiciary—

An act for the benefit of the town of Glasgow.

By Mr. Hargis, from the Committee on the Judiciary—

An act to revise and codify the charter of the city of Covington.

By Mr. McAfee, from the Committee on Privileges and Elections—

An act to amend an act, entitled "An act to amend the charter of the city of Frankfort," approved March 15th, 1871.

By Mr. Wm. Johnson, from the Committee on the Judiciary—

An act to incorporate the Observer and Reporter Printing Company.

By Mr. Martin, from the Committee on Library and Public Buildings and Offices—

An act to amend an act incorporating the Public Library of Kentucky.

With amendments to the last two named bills.

Which were adopted.

Ordered, That said bills, the last two as amended, be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Barlow, from the Committee on Claims, to whom had been referred a bill, which originated in the House of Representatives, entitled

An act for the benefit of W. H. Hughlett, jailer of Simpson county,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

[*For bill—see Session Acts present session.*]

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	Wm. P. Duvall,	John W. Johnson,
R. A. Burton,	W. McKee Fox,	Wm. Johnson,
E. P. Campbell,	W. W. Frazer,	A. L. Martin,
James B. Casey,	John J. Gatewood,	A. L. McAfee,
W. H. Chelf,	Jesse C. Gilbert,	O. D. McManama,
J. Q. Chenoweth,	D. R. Haggard,	Alfred T. Pope,
James F. Clay,	H. S. Hale,	A. G. Talbott,
Wm. L. Conklin,	Thomas F. Hargis,	W. L. Vories,
G. W. Connor,	Edwin Hawes,	Emery Whitaker,
F. W. Darby,	J. B. Haydon,	Thos. Wrightson—31.
J. H. Dorman,		

In the negative, G. A. C. Holt—1.

Resolved, That the title of said bill be as aforesaid.

Mr. Pope, from the Committee on the Judiciary, to whom had been referred a bill, which originated in the House of Representatives, entitled

An act for the benefit of Marion Baker, of Webster county,

Reported the same, with the expression of opinion that said bill ought not to pass.

And the question being taken on ordering said bill to be read a third time, it was decided in the negative.

So said bill was disagreed to.

The following bills were reported from the several committees directed to prepare and bring in the same, viz :

By Mr. Gilbert, from the Committee on Courts of Justice—

1. A bill to change the time of holding the annual court of claims of Bath county.

By Mr. Gatewood, from the Committee on Education—

2. A bill for the benefit of the common school district No. 8, in Lewis county.

By Mr. Conklin, from the Committee on Finance—

3. A bill for the benefit of Wm. A. Foutz, surety for B. T. Haydon, late sheriff of Rowan county.

By Mr. Standeford, from the Committee on Internal Improvement—

4. A bill to incorporate the Kentucky River Improvement, Coal, Lumber, and Mining Company.

By Mr. Haggard, from the Committee on Propositions and Grievances—

5. A bill to amend the charter of the town of Lancaster.

By Mr. Chenoweth, from the Committee on Railroads—

6. A bill to amend an act, entitled "An act to incorporate the Frankfort, Paris, and Big Sandy Railroad Company."

By same—

7. A bill to amend an act, entitled "An act to incorporate the Cumberland and Ohio Railroad Company," approved February 24th, 1869.

By Mr. Conklin, from the Committee on Revised Statutes and Codes of Practice—

8. A bill to change the time of holding the circuit courts in the 5th judicial district.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, the 4th of said bills was ordered to be printed, and placed in the orders of the day; the 6th was ordered to be printed, and made the special order of the day for the 10th of January

next; the 7th was postponed until to-morrow at 11 o'clock, and the 1st, 2d, 3d, 5th, and 8th were ordered to be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The Senate took up for consideration a resolution, which originated in the House of Representatives, entitled

Resolution in relation to the funeral of Mrs. C. S. Morehead.

Which was twice read and concurred in.

The Speaker announced the following as the committee on Congressional apportionment: Messrs. A. L. McAfee, W. McKee Fox, D. R. Haggard, G. A. C. Holt, Wm. Johnson, James F. Clay, E. Whitaker, J. B. Casey, J. H. Dorman, and E. P. Campbell.

The Senate took up for consideration a resolution, which originated in the House of Representatives, entitled

Resolution directing distribution of surplus funds in Bank of Kentucky.

Said resolution reads as follows, viz:

WHEREAS, The 14th section of an act, entitled "An act to establish the Bank of Kentucky," approved February 22d, 1834, provides that no dividend of the profits of said bank shall be declared until there shall be a surplus of twenty thousand dollars for each million of dollars of the capital stock of the bank actually paid in; and the surplus or contingent fund so raised shall never be reduced below that ratio on all stock paid for; and it shall be the duty of the president and directors of the principal bank, on the first Monday in January and July of each year, to declare a dividend of the profits over and above the contingent fund aforesaid among the stockholders, payable to them on demand, of which dividend, and the time and place of payment, notice shall be given; and whereas, it appears from the semi-annual statement made by the cashier of said bank, on the 30th of June, 1871, and the report of Grant Green and John Rodman, the committee appointed by the Board of Commissioners of the Sinking Fund, made October 31st, 1871, that said bank had a surplus of $571,976 35; that the capital stock of said bank is $2,431,400; that the surplus or contingent fund now held by said bank exceeds the sum allowed by the charter by $497,976 35, which sum of $497,976 35 ought to be divided among the stockholders; and whereas, the State of Kentucky owns $778,900 of the capital stock of said bank; therefore,

Resolved by the General Assembly of the Commonwealth of Kentucky, That the president and directors of said bank be required, on the first Monday in January next, to declare a dividend of all the profits and

surplus of said bank, over and above the contingent fund allowed by the charter as aforesaid, among the stockholders, payable to them on demand.

Mr. Standeford then moved that said resolution be referred to a select committee of three, whose duty it shall be to examine into the condition of said bank, and make report thereon.

Mr. Martin then moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Standeford and Pope, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	J. H. Dorman,	G. A. C. Holt,
Robert Boyd,	W. McKee Fox,	John W. Johnson,
R. A. Burton,	John J. Gatewood,	Wm. Johnson,
James B. Casey,	Jesse C. Gilbert,	A. L. Martin,
W. H. Chelf,	D. R. Haggard,	A. L. McAfee,
J. Q. Chenoweth,	H. S. Hale,	O. D. McManama,
Harrison Cockrill,	Thomas F. Hargis,	K. F. Prichard,
Wm. L. Conklin,	Edwin Hawes,	A. G Talbott,
F. W. Darby,	J. B. Haydon,	W. L. Vories—27.

Those who voted in the negative, were—

E. P. Campbell,	W. W. Frazer,	Ben. J. Webb,
James F. Clay,	Alfred T. Pope,	Emery Whitaker,
William P. Duvall,	E. D. Standeford,	Thos. Wrightson—9.

The question was then taken on the reference of the resolution to a committee of three, and it was decided in the negative.

The question was then taken on concurring in the adoption of said resolution, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Campbell and Chelf, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	J. H. Dorman,	G. A. C. Holt,
Robert Boyd,	William P. Duvall,	John W. Johnson,
R. A. Burton,	W. McKee Fox,	Wm. Johnson,
James B. Casey,	W. W. Frazer,	A. L. Martin,
W. H. Chelf,	John J. Gatewood,	A. L. McAfee,
J. Q. Chenoweth,	Jesse C. Gilbert,	O. D. McManama,
Harrison Cockrill,	D. R. Haggard,	K. F. Prichard,
Wm. L. Conklin,	H. S. Hale,	A. G. Talbott,
G. W. Connor,	Thomas F. Hargis,	W. L. Vories,
F. W. Darby,	J. B. Haydon,	Emery Whitaker—30.

Those who voted in the negative, were—

E. P. Campbell,	Alfred T. Pope,	Ben. J. Webb,
James F. Clay,	E. D. Standeford,	Thos. Wrightson—7.
Edwin Hawes,		

Mr. Burton then moved to reconsider the vote by which said resolution had been concurred in.

Mr. Talbott moved to lay said motion on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Talbott and Burton, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	F. W. Darby,	J. B. Haydon,
Robert Boyd,	J. H. Dorman,	G. A. C. Holt,
R. A. Burton,	William P. Duvall,	John W. Johnson,
James B. Casey,	W. McKee Fox,	William Johnson,
W. H. Chelf,	W. W. Frazer,	A. L. Martin,
J. Q. Chenoweth,	John J. Gatewood,	A. L. McAfee,
Harrison Cockrill,	D. R. Haggard,	O. D. McManama,
Wm. L. Conklin,	H. S. Hale,	K. F. Prichard,
G. W. Connor,	Thomas F. Hargis,	A. G. Talbott—27.

Those who voted in the negative, were—

E. P. Campbell,	Alfred T. Pope,	Ben. J. Webb,
James F. Clay,	E D. Standeford,	Emery Whitaker,
Edwin Hawes,	W. L. Vories,	Thos. Wrightson—9.

The Senate took up for consideration the motion heretofore made to reconsider the vote by which the Senate had passed a bill, entitled

A bill to change the county of Allen from the 6th to the 4th judicial district.

And the question being taken thereon, it was decided in the negative.

Mr. Connor moved to reconsider the vote by which the Senate had disagreed to the passage of a bill, which originated in the House of Representatives, entitled

An act to incorporate the Bourbon Female College.

And the question being taken thereon, it was decided in the affirmative.

Said bill was then placed in the orders of the day.

At 12 o'clock, M., a message was received from the House of Representatives, announcing that the hour having arrived, as indicated in a joint resolution of the two Houses, they were now ready to execute the joint order of the day, viz: the election of a Senator in the Con-

gress of the United States, as successor to the Hon. Garret Davis, whose term of office expires on the 3d day of March, 1873.

A similar message was sent from the Senate to the House of Representatives, Messrs. Wm. Johnson, Prichard, and Webb having been appointed to bear the same.

In a short time, Mr. Wm. Johnson reported that the messengers aforesaid had discharged the duty assigned them.

Whereupon, the Speaker of the Senate announced that nominations for the office of United States Senator would now be in order.

Whereupon, Mr. Conklin nominated the Hon. Thos. C. McCreery as a suitable person to fill said office.

Mr. Campbell nominated the Hon. John M. Harlan for the same office.

On motion of Mr. Prichard, a committee was appointed to inform the House of Representatives of the names of those who were in nomination for the office of United States Senator in the Senate.

Whereupon Messrs. Prichard, Conklin, and Chelf were appointed said committee.

After a short time, Mr. Prichard, from the committee aforesaid, reported that the committee had performed the duty assigned them.

A message was then received from the House of Representatives, announcing the names of those who had been put in nomination in that House for the office of United States Senator, viz: Hon. Thos. C. McCreery and Hon. John M. Harlan.

The Speaker then announced that the Clerk would now proceed to take the vote; and on the taking of which the vote stood thus:

Those who voted for Mr. McCreery, were—

John S. Barlow,	W. McKee Fox,	William Johnson,
R. A. Burton,	W. W. Frazer,	A. L. Martin,
James B. Casey,	John J. Gatewood,	A. L. McAfee,
W. H. Chelf,	Jesse C. Gilbert,	O. D. McManama,
J. Q. Chenoweth,	D. R. Haggard,	Alfred T. Pope,
James F. Clay,	H. S. Hale,	K. F. Prichard,
Harrison Cockrill,	Thomas F. Hargis,	E. D. Standeford,
Wm. L. Conklin,	Edwin Hawes,	A. G. Talbott,
G. W. Connor,	J. B. Haydon,	W. L. Vories,
F. W. Darby,	G. A. C. Holt,	Ben. J. Webb,
J. H. Dorman,	John W. Johnson,	Emery Whitaker—34.
Wm. P. Duvall,		

Those who voted for Mr. Harlan, were—

Robert Boyd,	E. P. Campbell,	Thos. Wrightson—3.

Leave was given to bring in the following bills, viz:

On motion of Mr. Talbott—

1. A bill to amend the charter of the Central Kentucky Stock, Agricultural, and Mechanical Association.

On motion of Mr. Chenoweth—

2. A bill to incorporate the Public Library of Harrodsburg.

Ordered, That the Committee on Education prepare and bring in the 2d, and that a select committee, consisting of Messrs. Talbott, Burton, Clay, and Gatewood, be requested to prepare and bring in the 1st.

Mr. Casey, from the Committee on Enrollments, reported that the committee had examined enrolled bills and a resolution, which originated in the Senate, of the following titles, viz:

An act to amend an act, entitled "An act to organize the South Kentucky Railroad Company," approved March 15th, 1871;

An act to incorporate the Lewisburg and Taylor's Mill Turnpike Road Company, in Mason county;

Resolution in relation to a revision of the revenue laws;

And enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to prevent the sale of spirituous, vinous, or malt liquors in the town of Elkton, Todd county, or within one mile of the corporate limits thereof;

An act for the benefit of Richard W. Neeley;

An act for the benefit of John E. Walton, of Kenton county;

An act to repeal an act, entitled "An act to repeal the court of common pleas in the counties of Hickman, Fulton, Graves, and Marshall, in the 1st judicial district," approved February 22, 1871, so far as it applies to Hickman county, and to re-enact an act, approved February 5, 1867, creating the court of common pleas in the 1st, 3d, and 14th judicial districts, so far as it relates to Hickman county, in the 1st judicial district;

An act for the benefit of the present and late sheriff of Union county;

An act for the benefit of W. H. Hughlett, jailer of Simpson county;

And had found the same truly enrolled.

Said bills and resolution having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his sig-

nature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Casey reported that the committee had performed that duty.

And then the Senate adjourned.

WEDNESDAY, DECEMBER 20, 1871.

A message was received from the House of Representatives, announcing that they had concurred in the amendment proposed by the Senate to a bill, which originated in the House of Representatives, entitled

An act to incorporate the Observer and Reporter Printing Company.

That they had passed bills, which originated in the Senate, of the following titles, viz:

An act for the benefit of the town of Hawesville.

An act for the security of persons furnishing labor or materials in the construction or repairs of railroads, turnpike, and gravel roads.

An act to authorize the county clerk of Cumberland county to procure books and indexes for the purpose of transcribing the mutilated records of the surveyor's office of said county.

An act to amend the charter of the town of Mayfield.

An act to amend an act to protect small birds and game in the counties of Daviess and Lyon.

An act for the benefit of J. E. Cossen, H. G. Trimble, and E. D. Porch, of the county of Pulaski.

That they had passed bills and adopted resolutions of the following titles, viz:

1. An act for the benefit and relief of Haywood Gilbert, former sheriff of Clay county, and his sureties, for the year 1869.

2. An act to prevent the destruction of fish by fish-nets in Cumberland river, within the limits of Trigg county.

3. An act for the benefit of common schools of the city of Paducah.

4. An act to repeal an act, entitled "An act to prohibit the sale of ardent spirits in Breathitt county," approved February 7th, 1868.

5. An act for the benefit of common school district No. 23, in Livingston county.

6. An act to amend an act to incorporate the Montgomery and Bath Counties Associated Turnpike Road Company.

7. An act to amend an act to incorporate the Allensville Turnpike Company, in Clark county.

8. An act to authorize the committee appointed by the Kenton county court of claims to sell the poor-house farm of said county.

9. An act for the benefit of Daniel Miller, late sheriff of Lincoln county.

10. Resolution of thanks to Hon. Garret Davis.

11. Resolution directing the firing of salutes on the 8th of January and 22d of February, 1872.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, the 2d was referred to the Committee on Propositions and Grievances; the 3d and 5th to the Committee on Education; the 4th to the Committee on Religion and Morals; the 6th and 7th to the Committee on Internal Improvement; the 8th to the Committee on Courts of Justice, and the 1st and 9th were ordered to be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The 2d of the foregoing resolutions was taken up, twice read, and concurred in, and the 1st was placed in the orders of the day.

The following petitions and remonstrance were presented, viz:

By Mr. Duvall—

1. The petition of sundry citizens of Scott county, in relation to the sale of intoxicating liquors at the White Sulphur.

By Mr. Burton—

2. The remonstrance of sundry citizens of Campbellsville, remonstrating against the repeal of an act in relation to the sale of liquors in said town and vicinity.

By Mr. Darby—

3. The petition of sundry citizens of Crittenden county, in relation to the improvement of Tradewater.

By Mr. Boyd—

4. The petition of sundry citizens of Laurel and Pulaski counties, in relation to the improvement of Rockcastle river.

Which petitions and remonstrance were received, the reading dispensed with, and referred—the 1st to the Committee on Propositions and Grievances; the 2d to the Committee on Religion and Morals, and the 3d and 4th to the Committee on Internal Improvement.

On motion of Mr. Duvall, leave of indefinite absence was granted to Mr. McManama.

Mr. Haydon offered the following joint resolution, viz:

Whereas, A joint resolution has been adopted by the two Houses of the General Assembly in relation to a recess, and now believing that the time fixed upon for the duration thereof is greater than it should be, thereby materially affecting the interest of the people; therefore, be it

Resolved by the General Assembly of the Commonwealth of Kentucky, That so much of said resolution as fixes upon the 9th day of January, 1872, for the reassembling of the two Houses, be, and the same is hereby, rescinded, and that Wednesday, the 3d day of January, 1872, be substituted in lieu thereof.

The question was then taken on the adoption of said resolution, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Wm. Johnson and Chelf, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	G. W. Connor,	J. B. Haydon,
Robert Boyd,	John E. Cooper,	G. A. C. Holt,
R. A. Burton,	J. H. Dorman,	John W. Johnson,
E. P. Campbell,	William P. Duvall,	Wm. Johnson,
James B. Casey,	W. McKee Fox,	Alfred T. Pope,
W. H. Chelf,	John J. Gatewood,	A. G. Talbott,
J. Q. Chenoweth,	D. R. Haggard,	W. L. Vories,
James F. Clay,	H. S. Hale,	Ben. J. Webb—25.
Wm. L. Conklin,		

Those who voted in the negative, were—

Harrison Cockrill,	A. L. Martin,	E. D. Standeford,
W. W. Frazer,	A. L. McAfee,	Thos. Wrightson—7.
Edwin Hawes,		

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Chelf, from the Committee on Revised Statutes and Codes of Practice—

An act to amend sections 4 and 5, article 2, chapter 32, of the Revised Statutes;

By same—

An act to incorporate Hebron Cemetery Company, in Boone county;

By same—

An act to amend section 5, article 2, chapter 83, of the Revised Statutes;

By Mr. Campbell, from the Committee on Revised Statutes and Codes of Practice—

An act to incorporate Bourbon Building and Savings Association, of Paris;

By Mr. Wm. Johnson, from the Committee on the Judiciary—

An act to re-enact an act for the benefit of the citizens of the town of Williamsburg, in Whitley county;

By Mr. Clay, from the Committee on the Judiciary—

An act to amend an act, entitled "An act to incorporate the town of New Market, in Marion county," approved March 21st, 1871;

By Mr. McAfee, from the Committee on Privileges and Elections—

An act to establish an additional voting place in district No. 5, in McCracken county;

By Mr. John W. Johnson, from the Committee on Religion and Morals—

An act to incorporate the Preachers' Aid Society of the Louisville Annual Conference of the Methodist Episcopal Church, South;

Reported the same, with the expression of opinion that said bills ought not to pass.

And the question being taken on ordering said bills to be read a third time, it was decided in the negative.

So said bills were disagreed to.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Pope, from the Committee on the Judiciary—

An act to regulate sales made under decrees of the Barren circuit court.

By Mr. Webb, from the Committee on Agriculture and Manufactures—

An act to amend an act, entitled "An act for the benefit of man-

ufacturing, furnace, and mining establishments in the counties of Greenup, Boyd, Carter, and Lawrence, so as to extend the provisions of said act to the counties of Lyon and Trigg.

By Mr. Conklin, from the Committee on Finance—

An act for the benefit of Hopkins county.

By Mr. Barlow, from the Committee on Finance—

An act for the benefit of B. K. Bethurum, late sheriff of Rockcastle county, and his sureties.

By Mr. Holt, from the Committee on Courts of Justice—

An act to authorize the county court of Menifee county to issue bonds to assist in building a court-house in said county.

By same—

An act to authorize the county court of Butler county to increase the county levy for county purposes.

By Mr. Darby, from the Committee on Courts of Justice—

An act to change the time of holding the court of claims of Madison county.

By Mr. Chelf, from the Committee on Revised Statutes and Codes of Practice—

An act to amend the charter of the Paducah Gas-light Company.

By Mr. Standeford, from the Committee on Internal Improvement—

An act for the benefit of the Dix River and Lancaster Turnpike Road Company.

By Mr. Wm. Johnson, from the Committee on the Judiciary—

An act to amend the charter of the town of Winchester.

With an amendment to the last named bill.

Which was concurred in.

Ordered, That said bills, the last as amended, be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Campbell, from the Committee on Revised Statutes and Codes of Practice, to whom had been referred a bill, which originated in the House of Representatives, entitled

An act to incorporate the Pendleton Building and Savings Association of Falmouth,

Reported the same, with the expression of opinion that said bill ought not to pass.

On motion, the further consideration of said bill was postponed till the 17th day of January, 1872.

A message was received from the House of Representatives, asking leave to withdraw the announcement of their passage of a bill, which originated in the Senate, entitled

An act for the security of persons furnishing labor or materials in the construction or repairs of railroads, turnpike, and gravel roads.

Which was granted.

Mr. Burton, from the Committee on the Sinking Fund, to whom had been referred a resolution, which originated in the House of Representatives, entitled

Resolution in relation to the sale of State stock in certain railroads,

Reported the same without amendment.

The question was then taken on concurring in the adoption of said resolution, and it was decided in the affirmative.

Mr. Haggard, from the Committee on Propositions and Grievances, to whom had been referred the amendment proposed by the House of Representatives to a bill, which originated in the Senate, entitled

An act to better define the duties of overseers of public highways in Cumberland county,

Reported the same, with the expression of opinion that said amendment should be concurred in.

And the question being taken thereon, it was decided in the affirmative.

Mr. Campbell moved to reconsider the vote by which the Senate had disagreed to the passage of a bill, which originated in the House of Representatives, entitled

An act to incorporate Bourbon Building and Savings Association, of Paris.

Which motion was simply entered.

The following bills were reported from the several committees directed to prepare and bring in the same, viz :

By Mr. Hale, from the Committee on Finance—

1. A bill for the benefit of W. E. Clelland, sheriff of Mercer county.

By Mr. Wm. Johnson, from the Committee on the Judiciary—

2. A bill to amend an act, entitled "An act authorizing the sale of real estate and slaves in which there is a future contingent interest," approved August 23d, 1862.

By Mr. Clay, from the Committee on the Judiciary—

3. A bill to regulate foreign corporations engaged in operating railroads in the State of Kentucky.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, the 2d and 3d were ordered to be printed, and placed in the orders of the day, and the 1st was ordered to be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Chenoweth offered the following resolution, viz:

Resolved, That the Sergeant-at-Arms be instructed to send letters to Senators at their homes during the recess.

Which was adopted.

Mr. Chenoweth moved to suspend the rules for the purpose of taking up a resolution, which originated in the House of Representatives, entitled

Resolution of thanks to Hon. Garrett Davis.

And the question being taken thereon, it was decided in the negative, two thirds not having voted therefor.

The yeas and nays being required thereon by Messrs. Wm. Johnson and Chelf, were as follows, viz:

Those who voted in the affirmative, were—

Robert Boyd,	Wm. L. Conklin,	John J. Gatewood,
R. A. Burton,	G. W. Connor,	D. R. Haggard,
James B. Casey,	John E. Cooper,	John W. Johnson,
W. H. Chelf,	F. W. Darby,	Alfred T. Pope,
J. Q. Chenoweth,	Wm. P. Duvall,	E. D. Standeford,
Harrison Cockrill,	W. W. Frazer,	A. G. Talbott—18.

Those who voted in the negative, were—

John S. Barlow,	Edwin Hawes,	A. L. McAfee,
E. P. Campbell,	J. B. Haydon,	W. L. Vories,
James F. Clay,	G. A. C. Holt,	Ben. J. Webb,
J. H. Dorman,	William Johnson,	Thos. Wrightson—14.
W. McKee Fox,	A. L. Martin,	

A message was received from the House of Representatives, announcing that they had adopted a resolution, entitled

Resolution directing the firing of salutes on the 8th of January and 22d of February, 1872.

Which was taken up, twice read, and concurred in.

Leave was given to bring in the following bills, viz:

On motion of Mr. Wm. Johnson—

1. A bill to authorize the clerk of the Nelson county court to index and cross-index deeds and records of his office.

On motion of Mr. Haggard—

2. A bill to create a school district out of portions of the counties of Adair, Cumberland, and Metcalfe.

On motion of Mr. Talbott—

3. A bill in aid of the finances of the State.

On motion of Mr. Conklin—

4. A bill to provide for the measurement and inspection of tan-bark.

On motion of same—

5. A bill to amend the laws upon the subject of assignments by debtors.

On motion of Mr. Gatewood—

6. A bill for the benefit of John W. Valentine, jailer of Warren county.

Ordered, That the Committee on Courts of Justice prepare and bring in the 1st; the Committee on Education the 2d; the Committee on Finance the 3d; the Committee on Propositions and Grievances the 4th; the Committee on Revised Statutes and Codes of Practice the 5th, and the Committee on Claims the 6th.

Mr. Casey, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act for the benefit of the town of Hawesville;

An act to re-enact an act, approved February 16th, 1866, entitled "An act to authorize the county court of Bourbon county to levy a tax to build a bridge across Hinkson creek;"

An act for the benefit of the Carlisle and Jackstown Turnpike Road Company, upper route;

An act for the benefit of the county of Nelson;

An act to legalize certain orders and proceedings of the Larue county court;

And enrolled bills and resolutions, which originated in the House of Representatives, of the following titles, viz:

An act to authorize the county court of Warren county to levy a tax and issue bonds for bridge purposes;

An act for the benefit of school districts No. 8, fractional, and No. 51, in Hart county;

An act to amend an act, entitled "An act to incorporate the West Paris Bridge Company," approved March 15th, 1871;

An act to incorporate the Observer and Reporter Printing Company;

An act for the benefit of the county court of Union county;

An act to amend an act, entitled "An act to amend the charter of the city of Frankfort," approved March 15th, 1871;

Resolution directing distribution of surplus funds in Bank of Kentucky;

Resolution in relation to the funeral of Mrs. C. S. Morehead;

And had found the same truly enrolled.

Said bills and resolutions having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Casey reported that the committee had performed that duty.

After an interchange of messages between the two Houses of the General Assembly, touching their readiness to enter upon the execution of the joint order of the day, viz: the election of a Senator in the Congress of the United States, as also in conformity with the law regulating such elections, the Senate, at 12 o'clock, M., repaired to the Hall of the House of Representatives. The Speaker of the Senate took the Chair, and called to order the Joint Assembly.

The Speaker then announced that the Clerks of the respective Houses would now proceed to recapitulate the vote of each House taken on yesterday for Senator, to serve as such in the Congress of the United States from and after the 4th day of March, 1873.

Whereupon it was ascertained that in the Senate the Hon. Thos. C. McCreery, of the county of Daviess, had received thirty-four votes, and the Hon. John M. Harlan, of the city of Louisville, had received three votes; and that in the House of Representatives the Hon. Thos. C. McCreery had received seventy eight votes, and the Hon. John M. Harlan had received seventeen votes.

It having been ascertained that a majority of all the members elected to each branch of the General Assembly was present and voting, the Speaker announced that the Hon. Thos. C. McCreery having received one hundred and twelve votes, a majority of all the

votes cast in the two Houses, was duly elected Senator in the Congress of the United States from the State of Kentucky, to serve as such for six years from and after the 4th day of March, 1873.

On motion, the Joint Assembly was then dissolved, the Senate returning to the Senate Chamber. The Speaker resumed the Chair.

On motion, the Speaker then announced that in conformity with a joint resolution of the two Houses, the Senate would now stand adjourned until Tuesday, the 9th day of January, 1872, at 10 o'clock, A. M.

TUESDAY, JANUARY 9, 1872.

The Senate met in pursance of adjournment, and the Speaker of the Senate being absent, Mr. Wm. Johnson was called to the Chair by the Clerk.

A message was received from the House of Representatives, announcing that they had passed a bill, which originated in the Senate, entitled

An act for the benefit of the common school district No. 8, in Lewis county.

That they had passed bills of the following titles, viz:

1. An act authorizing the clerk of the Fleming county court to make up and correct omissions in the records of said court.

2. An act to amend the charter of the Harrison County Agricultural Society.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, the 1st was referred to the Committee on Courts of Justice, and the 2d to the Committee on Agriculture and Manufactures.

On motion of Mr. Chenoweth, a message was sent to the House of Representatives, asking leave to withdraw the announcement of their

passage of a bill, which originated in the House of Representatives, entitled

An act to amend an act incorporating the Public Library of Kentucky.

After a short time, said bill was handed in at the Clerk's desk.

Mr. Chenoweth then moved to reconsider the vote by which the Senate had passed said bill.

Which motion was simply entered.

A message was received from the Governor by Mr. Botts, Assistant Secretary of State.

The rule of the Senate being dispensed with, said message was taken up and read as follows, viz:

STATE OF KENTUCKY, EXECUTIVE DEPARTMENT,
FRANKFORT, December 20th, 1871.

Gentlemen of the Senate:

I hereby nominate for your advice and consent the following persons as suitable to be commissioned as notaries public, viz:

Samuel C. Brice, McCracken county.
H. M. Heath, Marshall county.
John L. Irwin, Calloway county.
George Griswold, Jefferson county.
James A. Leech, Jefferson county.
James D. Manken, Jefferson county.
J. H. Williams, Boyle county.

Respectfully,

P. H. LESLIE.

Resolved, That the Senate advise and consent to said appointments.

The Speaker laid before the Senate the following communication of the Auditor in relation to the finances of the State, which reads as follows, viz:

AUDITOR'S OFFICE, FRANKFORT, KY., 9th January, 1872.

HON. JOHN G. CARLISLE, *Speaker of the Senate:*

SIR: I feel it to be my duty to lay before the Senate the condition of the Treasury on the 1st inst. It is as follows:

In Sinking Fund	$255,595 87	
In Sinking Fund not transferred	214,376 17	
		$469,972 04
School Fund	$97,056 38	
School Fund not transferred	260,761 15	
		357,817 53
Amount carried forward		$827,789 57

Amount brought forward	$827,789 57
Insurance Bureau	2,963 12
Enrolled Militia	7,952 39
Negro Fund	5,422 20
Military Fund	28 00
	$844,155 28
Deduct deficit in Revenue Proper	93,783 13
Total balance in Treasury January 1st, 1872	$750,372 15

From this statement it will be seen that there is not a dollar in the Treasury to the credit of the Revenue Proper; but, on the contrary, a deficit in that fund of $93,783 13.

It is for the General Assembly, in its wisdom, to provide for the stated deficit, so as to enable me to pay the expenses of its present session, and other current expenses of the State.

I have the honor to be,

Very respectfully,

Your obedient servant,

D. HOWARD SMITH, *Auditor.*

Ordered, That said communication be printed, and referred to the Committee on Finance.

Leave was given to bring in the following bills, viz:

On motion of Mr. Duvall—

1. A bill to amend an act, entitled "An act to establish a criminal court in the 9th judicial district," approved February 5th, 1866, and the several acts amendatory thereto.

On motion of Mr. Webb—

2. A bill to enable certain devisees of Julius C. Minett, deceased, to take and own property, and effectuate a special bequest in his will.

On motion of Mr. Dorman—

3. A bill to incorporate the Bank of Owen.

On motion of Mr. Standeford—

4. A bill to protect laboring men in their wages.

On motion of Mr. Hargis—

5. A bill to punish trespassers on inclosed lands in Nicholas county.

On motion of Mr. Vories—

6. A bill to incorporate the Smithfield and Pendleton Turnpike Road Company.

Ordered, That the Committee on the Judiciary prepare and bring in the 1st and 5th; the Committee on Charitable Institutions the 2d;

the Committee on Banks and Insurance the 3d; the Committee on Revised Statutes and Codes of Practice the 4th, and the Committee on Internal Improvement the 6th.

And then the Senate adjourned.

WEDNESDAY, JANUARY 10, 1872.

A message was received from the House of Representatives, announcing that they had passed a bill, which originated in the Senate, entitled

An act to change the time of holding the circuit courts in the 5th judicial district.

That they had adopted a resolution, entitled

Resolution on the death of Rev. R. J. Breckinridge.

Mr. Campbell presented the petition of sundry citizens of Hopkinsville, in relation to amendment of city charter.

Which was received, the reading dispensed with, and referred to the Committee on the Judiciary.

Mr. Hale, from the Committee on Finance, to whom was referred a bill, which originated in the House of Representatives, entitled

An act for the benefit of Michael Ryan, of Simpson county, and Major Fields, of Ballard county,

Reported the same, without any expression of opinion.

Various amendments were proposed to said bill.

On motion of Mr. Talbott, said bill and proposed amendments were laid upon the table.

A message was received from the House of Representatives, asking leave to withdraw the announcement of their passage of a bill, which originated in the House of Representatives, entitled

An act to amend the charter of the city of Hopkinsville.

Which was granted, and the bill delivered to the messenger.

The Senate took up for consideration a bill, entitled

A bill to amend an act, entitled "An act to incorporate the

Cumberland and Ohio Railroad Company," approved February 24th, 1869.

Mr. Chelf then moved to amend said bill.

Ordered, That said bill and proposed amendment be printed, and made the special order of the day for Tuesday, the 16th inst.

The Senate, according to order, took up for consideration the following bills, viz:

1. An act to amend the laws of evidence in this Commonwealth;

2. An act to amend an act, entitled "An act to incorporate the Frankfort, Paris, and Big Sandy Railroad Company;"

The further consideration of the 1st was, on motion, postponed until Tuesday next, the 16th inst., and the 2d was recommitted to the Committee on Railroads.

Mr. Talbott offered the following resolution, viz:

Resolved, That the Committee on Charitable Institutions are requested to visit the Eastern and Western Lunatic Asylums, and report the number of applications for admission into said Asylums now pending, but who have been unable to obtain such admission for want of room. The committee are also requested to make a thorough examination of the Asylum buildings, and report what alterations, additions, and extensions (if any), are necessary to accom nodate the applicants for admission, and the probable cost thereof; and also to report to the Senate such other facts and matters connected with said Institutions as they may deem of material importance.

And the question being taken on the adoption of said resolution, it was decided in the negative.

Mr. Hale offered the following resolution, viz:

Resolved, That the Committee on the Judiciary be, and they are hereby, requested to inquire and report, at their earliest convenience, by what authority the lotteries known as the J. R. Golladay lotteries, are carried on in this State, and what legislation, if any, is required in this regard.

Which was adopted.

Mr. Hawes read and laid on the table a joint resolution.

The rule of the Senate being dispensed with, said resolution was taken up and read as follows, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, (both Houses concurring therein), That the Auditor of Public Accounts be instructed to place all the resources of the State that have heretofore been directed by the Constitution and laws of this Commonwealth to go into the Sinking Fund to the credit of the revenue proper, as there is undoubted evidence that there are sufficient resources in the Sinking Fund to pay all the indebtedness for which it was created; and that the Commissioners of said Fund have been, and are hereby,

further instructed to cancel all debts now due by the State out of the proceeds of said fund now in their possession.

Ordered, That said resolution be referred to the committee on revision of the revenue laws.

A message was received from the Governor by Mr. Botts, Assistant Secretary of State.

Said message was taken up and read as follows, viz:

STATE OF KENTUCKY, EXECUTIVE DEPARTMENT,
FRANKFORT, KY., January 9, 1872.

Gentlemen of the Senate:

I hereby nominate for your advice and consent the following persons as suitable to be commissioned as notaries public, viz:

Nicholas Henry Resch, Jefferson county.
C. J. Vander Esps, Jefferson county.
Thomas K. Sinton, Jefferson county.
Gus. Artsman, Campbell county.
J. H. Williamson, Boyle county.
W. W. Moore, Lewis county.
Thos. A. Ross, Mason county.
Thos. T. Throop, Mason county.
T. Foster Barbour, Mason county.
W. S. Frank, Mason county.
Samuel Martin, Monroe county.

P. H. LESLIE.

Resolved, That the Senate advise and consent to said appointments.

Leave was given to bring in the following bills, viz:

On motion of Mr. Hargis—

1. A bill to amend the charter of the town of Carlisle, in Nicholas county.

On motion of Mr. Whitaker—

2. A bill for the benefit of the Maysville and Lexington Railroad Company, Northern Division.

On motion of Mr. Talbott—

3. A bill for the benefit of W. H. Prewitt, late sheriff of Boyle county.

On motion of Mr. Casey—

4. A bill to incorporate the Ludlow and Pleasant Run Turnpike Company.

On motion of same—

5. A bill to repeal an act, entitled "An act to incorporate the Ludlow Turnpike Company."

On motion of Mr. Hale—

6. A bill to change the time of the meeting of the General Assembly of this Commonwealth.

On motion of same—

7. A bill to amend the charter of the town of Mayfield.

On motion of Mr. Gatewood—

8. A bill to create the office of Auditor for Warren county.

On motion of same—

9. A bill to authorize the judge of the Warren county court to submit the question of the adoption of an act amending the law in relation to roads, passed 17th day of February, 1866, to the voters of said county.

On motion of Mr. Hargis—

10. A bill to amend an act establishing an additional voting precinct in Carter county, approved March 10th, 1870.

On motion of same—

11. A bill for the benefit of Isabella Oxley, of Rowan county.

On motion of same—

12. A bill authorizing the county court of Nicholas county to purchase any interest, right, or franchise in and to turnpike roads situated in said county.

On motion of same—

13. A bill to require A. W. Blair, late sheriff of Nicholas county, to settle and pay over all public money in his hands.

On motion of Mr. Haggard—

14. A bill to pay the county jailer of Cumberland county his claim for taking care of a pauper lunatic of said county.

On motion of same—

15. A bill to legalize the sale of the county jail of Cumberland county, which sale was ordered by the county court in the month of May, 1871.

On motion of Mr. Duvall—

16. A bill to incorporate the Stamping Ground and Long Lick Turnpike Road Company.

On motion of Mr. Prichard—

17. A bill to declare Hood's fork of Blain creek, in Lawrence county, a navigable stream.

On motion of Mr. Clay—

18. A bill to amend an act to establish a public school for colored children in the city of Henderson.

On motion of Mr. McAfee—

19. A bill concerning school commissioners in this Commonwealth.

On motion of Mr. Martin—

20. A bill to prevent obstructions to the navigation of the Big Sandy river.

On motion of Mr. Gilbert—

21. A bill to legalize and make valid unsigned orders of the circuit and other courts in this Commonwealth.

On motion of same—

22. A bill to regulate labor in this Commonwealth.

On motion of Mr. McManama—

23. A bill to repeal an act, entitled "An act to fix the fees of county attorneys," approved February 21st, 1868.

On motion of Mr. Gilbert—

24. A bill to amend the revenue laws of this Commonwealth in regard to forfeiting lands for the non-payment of taxes.

On motion of Mr. Cooper—

25. A bill to incorporate the West Liberty and Cross-roads Turnpike Road Company.

On motion of Mr. Haggard—

26. A bill for the purpose of relieving the county of Cumberland from a serious financial crisis.

On motion of Mr. Chelf—

27. A bill to amend chapter 28 of the Revised Statutes, entitled "Crimes and Punishments."

Ordered, That the Committee on the Judiciary prepare and bring in the 1st, 6th, 7th, 8th, 9th, 11th, 12th, 13th, 15th, 21st, and 22d; the Committee on Railroads the 2d; the Committee on Internal Improvement the 4th, 5th, 16th, 17th, 20th, and 25th; the Committee on Claims the 14th and 26th; the Committee on Education the 18th and 19th; the Committee on Revised Statutes and Codes of Practice the 23d and 27th; the Committee on Finance the 24th, and Messrs. Talbott, Burton, and Gatewood were requested to prepare and bring in the 3d, and Messrs. Hargis, Hale, and Gilbert the 10th.

The following bills were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Standeford, from the Committee on Internal Improvement—

A bill to incorporate the Louisville Union Depot and Transfer Company.

By same—

A bill to repeal an act, entitled "An act to incorporate the Ludlow Turnpike Company."

By same—

A bill to incorporate the Ludlow and Pleasant Run Turnpike Road Company.

By Mr. Gilbert, from a select committee—

A bill to amend an act to establish an additional voting precinct in Carter county, approved March 10th, 1870.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A message was received from the Governor by Mr. Botts, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to re-enact an act, approved February 16th, 1866, entitled "An act to authorize the county court of Bourbon county to levy a tax to build a bridge across Hinkson creek."

An act for the benefit of the town of Hawesville.

An act for the benefit of the county of Nelson.

An act to legalize certain orders and proceedings of the Larue county court.

Mr. Casey, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act to authorize the county clerk of Cumberland county to procure books and indexes for the purpose of transcribing the mutilated records of the surveyor's office of said county;

An act to amend the charter of the town of Mayfield;

An act to better define the duties of overseers of public highways in Cumberland county;

An act to amend an act to protect small birds and game in the counties of Daviess and Lyon;

An act for the benefit of J. E. Cossen, H. G. Trimble, and E. D. Porch, of the county of Pulaski;

An act for the benefit of the common school district No. 8, in Lewis county;

And enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz:

An act to revise and codify the charter of the city of Covington;

An act for the benefit of W. J. Lisle, administrator of Thomas W. Lisle;

An act for the benefit of Floyd county;

An act to increase the county levy of McLean county;

An act in relation to taxes for road purposes in Henderson county;

An act for the benefit of the town of Glasgow;

An act to amend an act, entitled "An act for the benefit of manufacturing, furnace, and mining establishments in the counties of Greenup, Boyd, Carter, and Lawrence, so as to extend the provisions of said act to the counties of Lyon and Trigg;

An act to amend the charter of the Owensboro and Russellville Railroad;

Resolution in relation to disposition of State stock in certain railroad companies;

And had found the same truly enrolled.

Said bills and resolutions having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Casey reported that the committee had performed that duty.

And then the Senate adjourned.

THURSDAY, JANUARY 11, 1872.

A message was received from the House of Representatives, announcing that they had adopted a resolution, entitled

Resolution in regard to Public Printer and Public Binder.

A message was also received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills and resolutions, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of school districts No. 8, fractional, and No. 51, in Hart county.

An act to authorize the county court of Warren county to levy a tax and issue bonds for bridge purposes.

An act to amend an act, entitled "An act to incorporate the West Paris Bridge Company," approved March 15th, 1871.

An act to amend an act, entitled "An act to amend the charter of the city of Frankfort," approved March 15th, 1871.

Resolution in relation to the funeral of Mrs. C. S. Morehead.

Resolution directing distribution of surplus fund in Bank of Kentucky.

The following petitions were presented, viz:

By Mr. Hale—

1. The petition of Farmington Lodge, No. 382, A. F. and A. M.

By same—

2. The petition of sundry citizens of Graves county, in relation to the exorbitant charges made by the Paducah and Gulf Railroad Company.

By Mr. Burton—

3. The petition of sundry citizens of Taylor county, in relation to the sale of liquors in and near Campbellsville.

Which petitions were received, the reading dispensed with, and referred—the 1st to the Committee on the Judiciary; the 2d to a select committee, consisting of Messrs. Hale, Holt, and Gilbert, and the 3d to the Committee on Religion and Morals.

On motion, leave of indefinite absence was granted to Messrs. Wrightson and John W. Johnson.

Bills from the House of Representatives, of the following titles, were reported from the Committee on Finance, to whom they had been referred, viz:

By Mr. Conklin—

An act to continue in force an act, entitled "An act for the benefit of A. W. Nickell, late sheriff of Johnson county, and his securities," approved February 3d, 1871;

By Mr. Hale—

An act for the benefit of James W. Lindon, late sheriff of Breathitt county;

By Mr. Casey—

An act for the benefit of Lewis S. Lee, late sheriff of Ballard county;

With the expression of opinion that said bills ought not to pass.

And the question being taken on ordering said bills to be read a third time, the opinion of the committee to the contrary notwithstanding, it was decided in the negative.

So said bills were disagreed to.

Bills from the House of Representatives, of the following titles, were reported from the Committee on Education, to whom they had been referred, viz:

By Mr. Prichard—

1. An act for the benefit of common schools of the city of Paducah.

By Mr. Frazer—

2. An act for the benefit of common school district No. 23, in Livingston county.

Ordered, That the 1st be placed in the orders of the day, and that the 2d be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The following bills were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Standeford, from the Committee on Internal Improvement—

A bill to declare Hood's fork of Blain creek a navigable stream.

By Mr. Wm. Johnson, from the Committee on the Judiciary—

A bill to amend an act, entitled "An act to establish a criminal court in the 9th judicial district," approved February 5th, 1866, and the several acts amendatory thereof.

By Mr. Prichard from the Committee on the Judiciary—

A bill to amend section 112, chapter 1, title 6, of the Criminal Code of Practice.

By Mr. Hargis, from the Committee on the Judiciary—

A bill authorizing the county court of Nicholas county to purchase any interest, right, or franchise in and to turnpike roads in said county.

By same—

A bill requiring A. W. Blair, late sheriff of Nicholas county, to settle and pay over all public money in his hands.

By same—

A bill for the benefit of Isabella Oxley, of Rowan county.

By Mr. Pope, from the Committee on the Judiciary—

A bill authorizing Mrs. Sally M. E. Pope to qualify as guardian of the children of Mary Lloyd Hartman.

By Mr. Chelf, from the Committee on Revised Statutes and Codes of Practice—

A bill to amend chapter 28 of the Revised Statutes, title "Crimes and Punishments."

By Mr. Frazer, from the Committee on Education—

A bill to amend an act, entitled "An act to establish a colored school in the city of Paducah."

By Mr. Haggard, from a select committee—

A bill regulating the inspection and sale of tobacco in the city of Louisville.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, the last named was ordered to be printed, and made the special order of the day for Monday, the 15th inst., and the others were ordered to be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Haggard offered the following resolutions, viz:

1. *Resolved*, That the Auditor of Kentucky be requested to furnish to the Senate the cost of the public printing for State purposes for the years 1861, 1862, 1863, 1864, 1865, 1866, 1867, 1868, 1869, 1870, and 1871, also the cost of the Public Binding for the same period.

2. *Resolved*, That the Auditor will furnish the Senate with the information as to the manner of procuring the materials for the print-

ing of the Journals, Acts of the Legislature, and Public Documents, together with the Governor's Message and Reports from the several departments of State. Also who furnishes the materials for the Public Binding and Public Printing, from whom purchased, and price paid, for the period indicated in the first resolution.

And the question being taken on the adoption of said resolutions, it was decided in the affirmative.

Leave was given to bring in the following bills, viz:

On motion of Mr. Campbell—

1. A bill to amend section 4 of article 2, of chapter 83, of the Revised Statutes.

On motion of same—

2. A bill to amend an act, entitled "An act to establish the county of McLean," approved January 28th, 1854.

On motion of Mr. Conklin—

3. A bill to incorporate the Mattingly Coal Company.

On motion of Mr. Gilbert—

4. A bill for the benefit of turnpike and gravel roads in this Commonwealth.

On motion of Mr. Vories—

5. A bill to amend the charter of the Eminence Cemetery Company.

On motion of Mr. McManama—

6. A bill to amend the charter of the city of Augusta.

On motion of same—

7. A bill for the benefit of Irvin W. Bowman, late sheriff of Bracken county.

Ordered, That the Committee on Revised Statutes and Codes of Practice prepare and bring in the 1st and 2d; the Committee on Internal Improvement the 3d and 4th; the Committee on the Judiciary the 5th, and that Messrs. McManama, Barlow, and Vories be requested to bring in the 6th and 7th.

The Senate took up for consideration the following resolutions, which originated in the House of Representatives, in relation to the death of Dr. R. J. Breckinridge, viz:

WHEREAS, An inscrutable Providence has removed from his usefulness on earth Robert J. Breckinridge, D. D., LL. D.; therefore, be it

1. *Resolved by the General Assembly of the Commonwealth of Kentucky*, That in the death of Dr. Breckinridge the church to which he belonged has lost one of its brightest and ablest ministers, the community a good and trusted member, the State one of her noblest and most honored sons, and the nation a talented and patriotic statesman.

2. That the deeds and example of a man so illustrious and eminent, and whose fame is commensurate only with the boundaries of Christian civilization, will live vividly through ages to come; and though no act of ours can add a moment to their longer perpetuation, yet, as an evidence of respect to the memory of the deceased, these resolutions are directed to be spread upon the Journals of the Senate and House of Representatives, and a copy of the same forwarded to the family of the deceased.

3. That as a further mark of respect to the memory of the deceased, this House do now adjourn.

Which were twice read and concurred in.

And then the Senate adjourned.

FRIDAY, JANUARY 12, 1872.

A message was received from the House of Representatives, announcing that they had passed bills, which originated in the Senate, of the following titles, viz:

An act authorizing Mrs. Sally M. E. Pope to qualify as guardian for the children of Mary Lloyd Hartman.

An act for the benefit of the estate of Thos. H. Crawford.

That they had passed a bill and adopted a resolution of the following titles, viz:

An act to authorize the county court of Meade county to make a levy and pay debts already created by said court.

Resolution in relation to distilleries and the tax thereon.

Which bill was taken up, twice read, and referred to the Committee on Courts of Justice.

Said resolution was taken up and referred to a select committee, consisting of Messrs. Talbott, Clay, and Campbell.

The following remonstrance and petition were presented, viz:

By Mr. Talbott—

1. The remonstrance of the president of the turnpike road from Perryville to Chaplintown, against the repeal of the law prohibiting the sale of whisky, &c., within one and a half miles of said road.

By Mr. Whitaker—

2. The petition of sundry persons of color in Mason county, pressing the passage of an act for their benefit.

Which remonstrance and petition were received, the reading dispensed with, and referred—the 1st to the Committee on Religion and Morals, and the 2d to the Committee on the Judiciary.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Gilbert, from the Committee on Courts of Justice—

An act authorizing the clerk of the Fleming county court to make up and correct omissions in the records of said court.

By Mr. Whitaker, from the Committee on Courts of Justice—

An act to authorize the committee appointed by the Kenton county court of claims to sell the poor-house farm of said county.

By Mr. Hale, from the Committee on Finance—

An act for the benefit of William McMurtry, of Monroe county.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A message was received from the Governor by Mr. Botts, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to amend an act to protect small birds and game in the counties of Daviess and Lyon.

An act to authorize the county clerk of Cumberland county to procure books and indexes for the purpose of transcribing the mutilated records of the surveyor's office of said county.

An act for the benefit of J. E. Cossen, H. G. Trimble, and E. D. Porch, of the county of Pulaski.

An act to better define the duties of overseers of public highways in Cumberland county.

An act for the benefit of the common school district No. 8, in Lewis county.

A message in writing was also received from the Governor by Mr. Botts, Assistant Secretary of State.

The following bills were reported from the several committees directed to prepare and bring in the same, viz :

By Mr. Wm. Johnson, from the Committee on the Judiciary—

1. A bill to amend the charter of the town of Mayfield.

By same—

2. A bill authorizing the clerk of the Nelson county court to make a cross-index to deeds in his office, and transcribe the marriage registers in said office.

By same—

3. A bill to amend an act, entitled "An act to amend chapter 15, title 10, Civil Code of Practice," approved March 16th, 1869.

By Mr. Hargis, from the Committee on the Judiciary—

4. A bill to punish trespasses on inclosed lands in Nicholas county.

By Mr. Campbell, from the Committee on Revised Statutes and Codes of Practice—

5. A bill to amend section 4 of article 2, of chapter 83, of the Revised Statutes, regulating tax on theatrical performances.

By Mr. McManama, from a select committee—

6. A bill to amend the charter of Augusta, in Bracken county.

By same—

7. A bill for the benefit of Irvin W. Bowman, late deputy sheriff of Bracken county.

By Mr. Standeford, from the Committee on Internal Improvement—

8. A bill to incorporate the Louisville Car Wheel and Railway Supply Company.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, the 1st, 2d, 4th, 5th, 6th, 7th, and 8th were ordered to be engrossed and read a third time, and the 3d was ordered to be printed, and placed in the orders of the day.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The Speaker laid before the Senate the 24th Report of the Trustees of the Kentucky Institution for the Education of the Blind.

Which was taken up.

[*For Report—see Legislative Document No.* 9.]

Ordered, That the Public Printer print one thousand copies of said Report, two hundred being for the use of the Senate, and eight hundred for the use of the Superintendent of the Institution.

Mr. Haggard, from the Committee on Propositions and Grievances, asked to be discharged from the further consideration of petitions in relation to the sale of liquors, &c., in or near White Sulphur, Scott county.

Which was granted.

The Senate took up for consideration a bill, entitled

A bill to amend an act, entitled "An act to provide for the organization and regulation of incorporated companies, except banking, insurance, and railroad companies," approved March 15th, 1871,

Together with the amendment heretofore proposed by Mr. Prichard.

The bill reads as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That any incorporated company, organized under the provisions of an act, entitled "An act to provide for the organization and regulation of incorporated companies, except banking, insurance, and railroad companies," approved March 15, 1870, shall be, and is hereby, authorized and empowered to execute and sell or hypothecate its bonds, with coupons or interest warrants attached, secured by mortgage or deed of trust upon its property and franchises, to an amount not exceeding the whole amount of its paid up capital stock, payable at such times and places as such corporation may deem proper, and bearing interest at any rate not exceeding ten per centum per annum, for the purpose of raising money to be used in prosecuting the business of such corporation, or paying off and discharging its general indebtedness; but no such corporation shall have any power or authority to indorse or guarantee the bonds or other obligations of any other corporation or association or individual, or to loan its credit, in any form, to, or in aid of, any other corporation or association or individual, for any purpose whatever.

§ 2. That this act shall take effect from and after its passage.

The amendment proposed by Mr. Prichard is as follows, viz:

Strike out the words "or individual" wherever they occur.

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

Ordered, That said bill, as amended, be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Chelf offered the following resolution, viz:

The rule of the Senate being dispensed with, said resolution was taken up and read as follows, viz:

Resolved, That the Committee on the Sinking Fund be, and they are hereby, requested to report to this House what dividend was declared by the Bank of Kentucky on the first Monday in January, 1872, and also whether or not said bank paid to said Commissioners, or made any arrangements for paying to said Commissioners, the State's interest in the surplus held by said bank, over and above the amount required by their charter to be held by them, and as said bank was directed to do by the resolution of the General Assembly, approved by the Governor on the 30th day of December, 1871, and the 11th section of the act establishing said bank.

The question was then taken on the adoption of said resolution, and it was decided in the affirmative.

Mr. Cooper moved to reconsider the vote by which the Senate had disagreed to the passage of a bill, which originated in the House of Representatives, entitled

An act to continue in force an act, entitled "An act for the benefit of A. W. Nickell, late sheriff of Johnson county, and his securities," approved February 3d, 1871.

Which motion was simply entered.

The Senate took up for consideration a resolution, which originated in the House of Representatives, entitled

Resolution of thanks to Hon. Garrett Davis.

Ordered, That said resolution be referred to the Committee on Federal Relations.

The Senate also took up for consideration a resolution, which originated in the House of Representatives, entitled

Resolution in regard to Public Printer and Public Binder.

Which was adopted.

Whereupon Messrs. Haggard and Gatewood were appointed the committee on the part of the Senate.

The Senate took up for consideration the following bills, viz:

A bill to amend an act, entitled "An act authorizing the sale of real estate and slaves in which there is a future contingent interest," approved August 23d, 1862.

A bill to regulate foreign corporations engaged in operating railroads in the State of Kentucky.

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

On motion, leave of indefinite absence was granted to Mr. Webb.

Leave was given to bring in the following bills, viz:

On motion of Mr. Whitaker—

1. A bill for the benefit of Joseph Perrie, of Mason county.

On motion of same—

2. A bill for the benefit of Wm. Burns, late sheriff of Robertson county, and his securities.

On motion of Mr. Dorman—

3. A bill for the benefit of Thos. A. Ireland, clerk of Owen county.

On motion of Mr. Gatewood—

4. A bill to authorize the Auditor of Public Accounts to audit the claims of sheriffs of this Commonwealth for conveying prisoners to the Penitentiary.

On motion of Mr. Clay—

5. A bill to regulate the sale of spirituous, vinous, and malt liquors in the town of Uniontown, Kentucky.

On motion of same—

6. A bill to incorporate the Bank of Uniontown, Kentucky.

On motion of same—

7. A bill in relation to the estate of Wm. Clark, late of Union county.

On motion of Mr. Boyd—

8. A bill for the benefit of L. H. Oakley and W. H. Litton, of Laurel county.

On motion of Mr. Haggard—

9. A bill to protect the several districts of Kentucky against the spread of small-pox, by a thorough system of vaccination.

On motion of Mr. Darby—

10. A bill for the benefit of late clerks, sheriffs, jailers, and other civil officers of this Commonwealth having uncollected fee bills or taxes, and their personal representatives.

On motion of Mr. Hargis—

11. A bill, entitled "An act regulating the time of holding the quarterly courts in Nicholas county."

On motion of same—

12. A bill to authorize the county courts of Nicholas and Bourbon counties to compel persons to keep stock off of public roads.

On motion of Mr. Gilbert—

13. A bill to amend an act, entitled "An act to amend section 3 of article 6, chapter 27, of the Revised Statutes," approved February 22d, 1865.

On motion of Mr. McAfee—

14. A bill to exempt footmen and other persons from the payment of tolls at bridge companies, &c., in this Commonwealth.

Ordered, That the Committee on Finance prepare and bring in the 1st, 2d, and 3d; the Committee on Revised Statutes and Codes of Practice the 4th and 13th; the Committee on Religion and Morals the 5th; the Committee on Banks and Insurance the 6th; the Committee on the Judiciary the 7th, 11th, and 12th; the Committee on Claims the 8th; the Committee on Courts of Justice the 10th; the Committee on Internal Improvement the 14th, and that a select committee, consisting of the physicians of both branches of the General Assembly, be requested to prepare and bring in the 9th.

Mr. Casey, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act to change the time of holding the circuit courts in the 5th judicial district;

An act authorizing Mrs. Sally M. E. Pope to qualify as guardian of the children of Mary Lloyd Hartman;

And enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz:

An act to regulate sales made under decrees of the Barren circuit court;

An act for the benefit of Hopkins county;

An act for the benefit of B. K. Bethurum, late sheriff of Rockcastle county, and his sureties;

An act to authorize the county court of Butler county to increase the county levy for county purposes;

An act for the benefit of the Dix River and Lancaster Turnpike Road Company;

An act to authorize the county court of Menifee county to issue bonds to assist in building a court-house in said county;

An act to change the time of holding the court of claims of Madison county;

An act for the benefit and relief of Haywood Gilbert, former sheriff of Clay county, and his sureties, for the year 1869;

An act to amend the charter of the Paducah Gas-light Company;

An act for the benefit of Daniel Miller, late sheriff of Lincoln county;

Resolution directing the firing of salutes on the 8th of January and 22d of February, 1872;

And had found the same truly enrolled.

Said bills and resolution having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Casey reported that the committee had performed that duty.

And then the Senate adjourned.

SATURDAY, JANUARY 13, 1872.

A message was received from the House of Representatives, announcing that they had passed a bill, which originated in the Senate, entitled

An act to incorporate the Louisville Union Depot and Transfer Company,

With an amendment to said bill.

Which amendment was taken up, twice read, and concurred in.

A message was also received from the House of Representatives, announcing that they had passed bills of the following titles, viz:

1. An act for the benefit of Tho. Hunt, of Pike county.

2. An act to declare Morgan's creek, in Lawrence county, a navigable stream.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st to the Committee

on Propositions and Grievances, and the 2d to the Committee on Internal Improvement.

A message was also received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed an enrolled bill and resolution, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of W. J. Lisle, administrator of Thomas W. Lisle.

Resolution in relation to disposition of State's stock in certain railroad companies.

A message was also received from the House of Representatives, announcing that they had passed a bill, entitled

An act to provide for the existing deficit in the Treasury.

Which bill was taken up, read the first time, and ordered to be read a second time.

Said bill was read a second time as follows, viz:

[*For bill—see Session Acts present session.*]

Mr. Gilbert then moved that said bill be printed, and made the special order of the day for Thursday next.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Dorman and Chelf, were as follows, viz:

Those who voted in the affirmative, were—

E. P. Campbell,	Jesse C. Gilbert,	G. A. C. Holt,
J. Q. Chenoweth,	H. S. Hale,	Wm. Johnson—8.
F. W. Darby,	Edwin Hawes,	

Those who voted in the negative, were—

John S. Barlow,	William P. Duvall,	A. L. Martin,
R. A. Burton,	W. W. Frazer,	A. L. McAfee,
W. H. Chelf,	John J. Gatewood,	O. D. McManama,
James F. Clay,	D. R. Haggard,	Alfred T. Pope,
Wm. L. Conklin,	Thomas F. Hargis,	A. G. Talbott,
John E. Cooper,	J. B. Haydon,	W. L. Vories,
J. H. Dorman,	John W. Johnson,	Emery Whitaker—21.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	Wm. P. Duvall,	Wm. Johnson,
R. A. Burton,	W. W. Frazer,	A. L. Martin,
W. H. Chelf,	John J. Gatewood,	A. L. McAfee,
J. Q. Chenoweth,	D. R. Haggard,	O. D. McManama,
James F. Clay,	H. S. Hale,	Alfred T. Pope,
Wm. L. Conklin,	Thomas F. Hargis,	A. G. Talbott,
John E. Cooper,	J. B. Haydon,	W. L. Vories,
F. W. Darby,	John W. Johnson,	Emery Whitaker—25.
J. H. Dorman,		

Those who voted in the negative, were—

Robert Boyd,	Jesse C. Gilbert.	G. A. C. Holt—5.
E. P. Campbell,	Edwin Hawes,	

Resolved, That the title of said bill be as aforesaid.

Mr. Chenoweth presented the remonstrance of sundry citizens of Mercer county, protesting against the repeal of an act prohibiting the sale of liquor along the line of the Maxville and Perryville Turnpike Road.

Which was received, the reading dispened with, and referred to the Committee on Religion and Morals.

The message in writing sent in by the Governor on yesterday was taken up and twice read as follows, viz:

STATE OF KENTUCKY, EXECUTIVE DEPARTMENT,
FRANKFORT, KY., January 13, 1872.

Gentlemen of the Senate:

I nominate for your advice and consent James Austin as a suitable person to be commissioned Receiver of Public Moneys for the land district west of the Tennessee river.

Respectfully,

P. H. LESLIE.

Resolved, That the Senate advise and consent to said appointment.

The following bills were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Gatewood, from the Committee on Education—

A bill to incorporate the Franklin Academic Institute.

By Mr. Wm. Johnson, from the Committee on the Judiciary—

A bill to authorize the Cumberland county court to levy an additional poll and ad valorem tax for county purposes.

By same—

A bill to legalize the action of the Cumberland county court in the sale of the old jail in said county.

By Mr. Chelf, from the Committee on Revised Statutes and Codes of Practice—

A bill to authorize the Auditor of Public Accounts to audit and settle claims of sheriffs of this Commonwealth for conveying criminals to the Penitentiary of this State.

By Mr. Conklin, from the Committee on Revised Statutes and Codes of Practice—

A bill to amend section 5, article 2, chapter 83, of the Revised Statutes, title "Revenue and Taxation."

By Mr. Hargis, from the Committee on the Judiciary—

A bill to authorize the county courts of Nicholas and Bourbon counties to compel persons to keep stock off of public roads.

By same—

A bill to amend the charter of the town of Carlisle, in Nicholas county.

By same—

A bill regulating the time of holding the quarterly courts in Nicholas county.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Duvall, from the Committee on Internal Improvement—

An act to amend an act to incorporate the Allensville Turnpike Company, in Clark county.

By same—

An act to amend an act to incorporate the Montgomery and Bath Counties Associated Turnpike Road Company.

By Mr. Conklin, from the Committee on Revised Statutes and Codes of Practice—

An act to provide for recording deeds to burial lots in Green Lawn Cemetery at Franklin.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A message in writing was received from the Governor by Mr. Botts, Assistant Secretary of State.

Said message was taken up and read as follows, viz:

STATE OF KENTUCKY, EXECUTIVE DEPARTMENT,
FRANKFORT, January 13th, 1872.

Gentlemen of the Senate:

I hereby nominate for your advice and consent the following persons as suitable to be commissioned as notaries public, viz:

Elijah Eskridge, Breckinridge county.
A. W. Overton, Henderson county.
G. P. King, Henry county.
W. P. Thorn, Henry county.
Oliver H. Stratton, Jefferson county.
Theobald Davis, Jefferson county.
Milton Hamilton, Kenton county.
Thomas Anderson, Fleming county.
W. P. Payne, Russell county.
F. E. Congleton, Nicholas county.
John D. Wickliffe, Nelson county.
John W. Swiney, Bourbon county.
E. M. Gateman, Jefferson county.

P. H. LESLIE.

Resolved, That the Senate advise and consent to said appointments.

A message was also received from the Governor by Mr. Botts, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to authorize Mrs. Sally M. E. Pope to qualify as guardian for the children of Mary Lloyd Hartman.

An act to change the time of holding the circuit courts in the 5th judicial district.

Mr. Chenoweth offered the following resolution, viz:

WHEREAS, There has been a settlement between special commissioners appointed by the Senate and House and Captain Newton Craig, late Keeper of the State Prison, concerning a balance due said Craig; therefore, be it

Resolved, That a committee of five Senators be appointed by the Speaker of the Senate to investigate said settlement, and report to

the Senate what amount of money has been paid said Craig, and on what account.

Which was adopted.

Whereupon Messrs. Chenoweth, Frazer, Hargis, Gatewood, and Duvall were appointed said committee.

Mr. Clay, from the Committee on the Judiciary, asked to be discharged from the further consideration of the petition of Farmington Lodge, No. 382, A. F. and A. M.

Which was granted.

Mr. Pope, from the Committee on the Judiciary, made the following report, viz:

Your committee, to whom was referred a resolution of the Senate requesting the Committee on the Judiciary to inquire and report, at their earliest convenience, by what authority the lotteries known as the J. R. Golladay lotteries, are carried on in this State, and what legislation, if any, is required in this regard, would respectfully report hat the lotteries referred to are wholly unauthorized by law, and that existing laws, if enforced, are ample for the suppression of the evil. Appreciating, however, their injurious effect upon the public, we herewith report an amendment to the statute, recommending its passage, which increases the minimum penalty.

Mr. Pope, at the same time, reported a bill, entitled

A bill to amend section 1, article 2, chapter 28, Revised Statutes.

Which was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The Speaker laid before the Senate the Report of the Quarter-Master General.

[*For Report—see Legislative Document No.* 8.]

Ordered, That said report be printed, and referred to the Committee on Military Affairs.

Mr. Cooper, from the Committee on Enrollments, reported that the committee had examined an enrolled bill, which originated in the Senate, of the following title, viz:

An act for the benefit of the estate of Thos. H. Crawford;

And an enrolled bill and resolution, which originated in the House of Representatives, of the following titles, viz:

2. An act for the benefit of common school district No. 23, in Livingston county;

Resolution on the death of Rev. R. J. Breckinridge;

And had found the same truly enrolled.

Said bills and resolution having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Cooper reported that the committee had performed that duty.

Leave was given to bring in the following bills, viz:

On motion of Mr. Hale—

1. A bill to amend an act, entitled "An act for the benefit of the Eastern and Western Lunatic Asylums," approved February 24th, 1864.

On motion of Mr. Pope—

2. A bill to incorporate the Grand Central Industrial Exposition.

On motion of Mr. Whitaker—

3. A bill to amend section 82 of the Code of Practice.

On motion of Mr. Gilbert—

4. A bill for the benefit of John W. Bohannan.

On motion of Mr. Wm. Johnson—

5. A bill requiring sales made under order or judgment of any court in the county of Shelby, and warning orders, to be advertised in some paper published in said county.

Ordered, That the Committee on Revised Statutes and Codes of Practice prepare and bring in the 1st, 3d, and 4th, and the Committee on the Judiciary the 2d and 5th.

And then the Senate adjourned.

MONDAY, JANUARY 15, 1872.

A message was received from the House of Representatives, announcing that they had passed bills and adopted a resolution of the following titles, viz:

1. An act to authorize the Trustees of the Cincinnati Southern Railway to acquire the right of way, and to extend a line of railway through certain counties in this Commonwealth.

2. An act to enable the county of Madison to subscribe to, and provide means for, an institution of learning in Richmond.

3. An act to change the time of holding the court of common pleas in Ballard county.

Resolution providing pay of pages and other employees of General Assembly.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, the 1st was referred to the Committee on Railroads; the 2d to the Committee on Education, and the 3d was ordered to be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Said resolution was taken up, twice read, and concurred in.

The yeas and nays being required thereon, in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	F. W. Darby,	Wm. Johnson,
Robert Boyd,	J. H. Dorman,	O. D. McManama,
R. A. Burton,	W. McKee Fox,	Alfred T. Pope,
E. P. Campbell,	W. W. Frazer,	K. F. Prichard,
James B. Casey,	John J. Gatewood,	E. D. Standeford,
W. H. Chelf,	Jesse C. Gilbert,	A. G. Talbott,
J. Q. Chenoweth,	Thomas F. Hargis,	W. L. Vories,
James F. Clay,	Edwin Hawes,	Ben. J. Webb,
Wm. L. Conklin,	G. A. C. Holt,	Emery Whitaker—29.
John E. Cooper,	John W. Johnson,	

In the negative—none.

A message was also received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz:

An act to regulate sales made under decrees of the Barren circuit court.

An act to authorize the county court of Butler county to increase the county levy for county purposes.

An act to amend the charter of the Paducah Gas-light Company.

An act to authorize the county court of Menifee county to issue bonds to assist in building a court-house in said county.

An act for the benefit of Daniel Miller, late sheriff of Lincoln county.

An act for the benefit of Hopkins county.

An act to change the time of holding the court of claims of Madison county.

An act for the benefit of the Dix River and Lancaster Turnpike Road Company.

An act for the benefit of the town of Glasgow.

An act to increase the county levy of McLean county.

An act for the benefit of Floyd county.

An act in relation to taxes for road purposes in Henderson county.

An act to amend an act, entitled "An act for the benefit of manufacturing, furnace, and mining establishments in the counties of Greenup, Boyd, Carter, and Lawrence, so as to extend the provisions of said act to the counties of Lyon and Trigg.

An act to revise and codify the charter of the city of Covington;

Resolution directing the firing of salutes on the 8th of January and 22d of February, 1872.

The following petitions were presented, viz:

By Mr. Wm. Johnson—

1. The petition of certain citizens of Shelby county, praying that certain sales and warning orders be published in a newspaper in Shelby county.

By Mr. Whitaker—

2. The petition of the jailer of Lewis county, in relation to Lewis Kirk, a lunatic.

By Mr. Cooper—

3. The petition of sundry citizens of Magoffin county, asking the repeal of section 7, article 3, chapter 26, of the Revised Statutes.

By same—

4. The petition of sundry citizens of Magoffin county, in relation to the erection of a mill dam across Licking river.

Which petitions were received, the reading dispensed with, and referred—the 1st to the Committee on the Judiciary; the 2d to the Committee on Finance; the 3d to the Committee on Revised Statutes and Codes of Practice, and the 4th to the Committee on Propositions and Grievances.

Mr. Wm. Johnson, from the Committee on the Judiciary, reported a bill, entitled

A bill requiring certain sales and warning orders to be published in a newspaper published in the county of Shelby.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Prichard offered the following joint resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the two Houses go into the election of State Printer, Public Binder, and State Librarian, on the 23d inst., at 12 o'clock, M.

Which was adopted.

Mr. Chelf offered the following resolution, viz:

WHEREAS, It appears that there is a material difference in the weighing of tobacco at the city of Louisville and at the various rail-road depots in this Commonwealth, in which great injustice, from some cause, is done the tobacco-grower; therefore,

Resolved, That the Committee on Agriculture and Manufactures be required to inquire into the causes of such discrepancies, and report to this House what legislation is necessary to remedy said evil and more effectually protect the interest of tobacco planters of this State.

Which was adopted.

The Senate took up for consideration the reconsideration of the vote heretofore made by which they had disagreed to the passage of a bill, which originated in the House of Representatives, entitled

An act to continue in force an act, entitled "An act for the benefit of A. W. Nickell, late sheriff of Johnson county, and his securities," approved February 3d, 1871.

And the question being taken thereon, it was decided in the affirmative.

Ordered, That said bill be recommitted to the Committee on Finance.

The Senate took up for consideration the following bills, viz:

1. A bill regulating the inspection and sale of tobacco in the city of Louisville.

2. A bill to incorporate the Kentucky River Improvement, Coal, Lumber, and Mining Company.

Ordered, That the 1st be postponed, and made the special order of the day for Wednesday next, the 17th inst., and that the 2d be postponed, and made the special order of the day for Friday next, the 19th inst.

Leave was given to bring in the following bills, viz:

On motion of Mr. Dorman—

1. A bill to incorporate the Owenton and Twin Creek Turnpike Road Company.

On motion of same—

2. A bill to amend the charter of the town of Owenton.

On motion of Mr. Prichard—

3. A bill to amend section 6 of an act, entitled "An act to incorporate the Maysville and Big Sandy Railroad Company," approved December 18th, 1850.

On motion of Mr. Gatewood—

4. A bill to authorize the present judge of the Warren circuit court to sign the records of the February term of said court, 1870, and legalize the same.

On motion of Mr. Pope—

5. A bill to increase the salary of the Superintendent of Public Instruction.

Ordered, That the Committee on Internal Improvement prepare and bring in the 1st; the Committee on Revised Statutes and Codes of Practice the 2d; the Committee on Railroads the 3d; the Com-

mittee on the Judiciary the 4th, and the Committee on Education the 5th.

Mr. Casey, from the Committee on Enrollments, reported that the committee had examined an enrolled bill, which originated in the Senate, of the following title, viz:

An act to incorporate the Louisville Union Depot and Transfer Company;

And had found the same truly enrolled.

Said bill having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and it was delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Casey reported that the committee had performed that duty.

And then the Senate adjourned.

TUESDAY, JANUARY 16, 1872.

A message was received from the House of Representatives, announcing that they had passed bills, which originated in the Senate, of the following titles, viz:

An act to change the time of holding the annual court of claims of Bath county.

An act for the benefit of Wm. A. Foutz, surety for B. T. Haydon, late sheriff of Rowan county.

An act for the benefit of W. E. Clelland, sheriff of Mercer county.

An act to amend an act to establish an additional voting precinct in Carter county, approved March 10th, 1870.

That they had passed bills of the following titles, viz:

1. An act to repeal an act, entitled "An act to amend section 1, article 3, chapter 47, Revised Statutes."

2. An act to authorize the trustees of Louisa to lease portions of the public grade belonging to said town.

3. An act authorizing the sale of lands belonging to St. Teresa's Catholic Church, in Meade county.

4. An act for the benefit of Warren county.

5. An act for the benefit of Monroe T. Shelburn, of Ballard county.

6. An act for the benefit of James D. Hatchitt, of Henderson county.

7. An act for the benefit of James H. Kirk, late sheriff of Marion county.

8. An act to amend the charter of the Owensboro Savings Bank.

9. An act to amend the charter of the Bank of America, of the city of Louisville.

10. An act for the benefit of the Garrard County and Kirksville Turnpike Road Company.

11. An act to authorize the Hancock county court to increase the county levy.

12. An act for the benefit of Crittenden county.

13. An act to amend an act for the benefit of Boone county, approved January 30, 1871.

14. An act to change the time of holding the quarterly courts in Ballard county.

15. An act incorporating the Walton Agricultural and Mechanical Association, in Boone county.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st and 2d to the Committee on Revised Statutes and Codes of Practice; the 3d to the Committee on Religion and Morals; the 4th, 11th, 12th, and 14th to the Committee on Courts of Justice; the 5th to the Committee on Claims; the 6th and 7th to the Committee on Finance; the 8th and 9th to the Committee on Banks and Insurance; the 13th to the Committee on Internal Improvement; the 15th to the Committee on Agriculture and Manufactures, and the 10th was ordered to be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The following memorial and petition were presented, viz:

By Mr. Chenoweth—

1. The memorial of sundry citizens of the county of Franklin, in relation to lawlessness.

By Mr. Gatewood—

2. The petition of F. M. Roberts, asking the passage of an act for his benefit.

Which memorial and petition were received, and the reading dispensed with.

The 1st was then ordered to be printed, and referred to the Committee on the Judiciary, and the 2d was referred to the Committee on Claims.

A message was received from the House of Representatives, announcing that they had adopted a resolution, entitled

Resolution requesting the Governor to return, unsigned, a certain bill.

Whereupon Mr. Talbott was, in pursuance of the provisions of said resolution, appointed on the part of the Senate.

The following bills were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Barlow, from the Committee on Claims—

A bill for the benefit of L. H. Oakley and W. H. Litton, of Laurel county.

By Mr. Wm. Johnson, from the Committee on the Judiciary—

A bill amending section 1 of an act, approved February 27th, 1860, entitled "An act to incorporate the Eminence Cemetery Company."

By same—

A bill to create the office of auditor for Warren county.

By Mr. John W. Johnson, from the Committee on Religion and Morals—

A bill to regulate the sale of spirituous and vinous liquors in Uniontown and Caseyville.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Chelf, from the Committee on Revised Statutes and Codes of Practice, reported a bill, entitled

A bill for the benefit of John W. Bohannan, of Franklin county.

Which was read the first time and ordered to be read a second time.

Said bill was read a second time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That any two of the circuit judges in this State shall have full power and authority to license said John W. Bohannan, he being under twenty-one years of age, to practice law in all the courts of this Commonwealth; and when so licensed, he, the said Bohannan, to be in all things entitled to the same privileges, and to be under the same responsibilities, as if he were of full age.

§ 2. This act to take effect from its passage.

Mr. Wm. Johnson then moved to amend said bill by substituting in lieu thereof the following, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That so much of section 1, article 1, of chapter 4, of the Revised Statutes, as requires a person to be twenty-one years old before he shall obtain a license to practice law as an attorney-at-law, be, and the same is hereby, repealed.

§ 2. Any person who shall obtain a license to practice law shall be responsible for his acts and contracts as attorney-at-law as if he was of full age.

§ 3. This act shall take effect from its passage.

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Wm. Johnson and Prichard, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	John J. Gatewood,	A. L. Martin,
Robert Boyd,	H. S. Hale,	A. L. McAfee,
James B. Casey,	Thomas F. Hargis,	Alfred T. Pope,
James F. Clay,	Edwin Hawes,	E. D. Standeford,
Wm. L. Conklin,	G. A. C. Holt,	Emery Whitaker—17.
J. H. Dorman,	William Johnson,	

Those who voted in the negative, were—

R. A. Burton,	F. W. Darby,	O. D. McManama,
E. P. Campbell,	Wm. P. Duvall,	K. F. Prichard,
W. H. Chelf,	W. W. Frazer,	A. G. Talbott,
J. Q. Chenoweth,	Jesse C. Gilbert,	W. L. Vories,
G. W. Connor,	John W. Johnson,	Ben. J. Webb—16.
John E. Cooper,		

Ordered, That said bill, as amended, be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Wm. Johnson and Prichard, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	John E. Cooper,	William Johnson,
Robert Boyd,	William P. Duvall,	A. L. Martin,
James B. Casey,	John J. Gatewood,	Alfred T. Pope,
W. H. Chelf,	Jesse C. Gilbert,	K. F. Prichard,
J. Q. Chenoweth,	H. S. Hale,	E. D. Standeford,
James F. Clay,	Thomas F. Hargis,	Emery Whitaker—18.

Those who voted in the negative, were—

R. A. Burton,	J. H. Dorman,	A. L. McAfee,
E. P. Campbell,	W. W. Frazer,	O. D. McManama,
Wm. L. Conklin,	Edwin Hawes,	A. G. Talbott,
G. W. Connor,	G. A. C. Holt,	W. L. Vories,
F. W. Darby,	John W. Johnson,	Ben. J. Webb—15.

Resolved, That the title of said bill be amended to read,

An act to amend section 1, article 1, chapter 4, of the Revised Statutes.

The Senate, according to order, took up for consideration a bill, entitled

A bill to amend the laws of evidence in this Commonwealth,

Together with the amendment proposed by Mr. Prichard.

Mr. Prichard then moved to amend the amendment proposed by himself.

Which was adopted.

After some discussion had thereon,

Ordered, That the further consideration of said bill and proposed amendment be postponed until to-morrow.

The Senate also, according to order, took up for consideration a bill, entitled

A bill to amend an act, entitled "An act to incorporate the Cumberland and Ohio Railroad Company," approved February 24th, 1869,

Together with the amendment proposed by Mr. Chelf.

Which amendment was adopted

Ordered, That said bill, as amended, be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Pope offered the following resolution, viz:

Resolved, That the Committee on Finance are hereby requested to inquire into and report to the Senate what revenues have been added to the resources of the Sinking Fund since January 20th, 1850, and whether the General Assembly have power to apply any of said resources in aid of the revenue proper.

Which was adopted.

Mr. Connor offered the following resolutions, viz:

WHEREAS, It has pleased Almighty God to take from the scenes of his usefulness on earth Harrison Thompson, formerly a Senator of Kentucky, who departed this life suddenly at his residence in Clark county on Sunday, 14th inst.; therefore, be it

1. *Resolved*, That the State has lost a citizen who served her faithfully in her councils, and society a member whose loss to his family and the community in which he lived is deeply deplored.

2. *Resolved*, That this testimonial of respect be spread upon the Journal of the Senate, and that a copy be transmitted to the family of the deceased.

Which were adopted.

Leave was given to bring in the following bills, viz:

On motion of Mr. Conklin—

1. A bill for the benefit of school district No. 51, in Grayson county.

On motion of Mr. Boyd—

2. A bill to amend an act, entitled "An act for the benefit of Knox county," approved March 20th, 1871.

On motion of Mr. Gatewood—

3. A bill for the benefit of G. W. Lawson, of Warren county.

On motion of Mr. Dorman—

4. A bill to authorize the county judge of Owen county to convey certain land to the trustees of Harrisburg Seminary.

On motion of Mr. McManama—

5. A bill to reduce into one the several acts incorporating the town of Brooksville, Bracken county.

Ordered, That the Committee on Education prepare and bring in the 1st and 4th; the Committee on Claims the 2d and 3d, and that a select committee, consisting of Messrs. McManama, Casey, and Barlow, be requested to prepare and bring in the 5th.

And then the Senate adjourned.

WEDNESDAY, JANUARY 17, 1872.

A message was received from the House of Representatives, announcing that they had passed bills of the following titles, viz:

1. An act to amend the charter of South Carrollton.

2 An act to amend chapter 105, Revised Statutes (weight of coal).

3. An act for the benefit of late clerks, sheriffs, jailers, magistrates, and other officers of this Commonwealth.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st to the Committee on the Judiciary; the 2d to the Committee on Revised Statutes and Codes of Practice, and the 3d to the Committee on Courts of Justice.

The following petitions were presented, viz:

By Mr. Connor—

1. The petition of sundry citizens of North Middletown, Bourbon county, praying the passage of an act preventing the sale of spirituous or intoxicating liquors within the limits of two miles of said town.

By Mr. Cooper—

2. The petition of sundry citizens residing in various counties located near Red river, asking the passage of an act appropriating $5,000 for the purpose of removing the obstructions of said river.

By same—

3. The petition of sundry citizens of Breathitt county, asking the passage of an act for the benefit of Wm. Day, of Breathitt county.

By Mr. McAfee—

4. The petition of sundry citizens of Jessamine, Mercer, and Woodford counties, praying the passage of an act releasing footmen and mill-boys from paying toll on the bridge across the Kentucky river at Brooklin, on the Lexington, Harrodsburg, and Perryville Turnpike Road.

By Mr. Pope—

5. The petition of sundry citizens of Louisville, praying the passage of laws encouraging immigration.

Which petitions were received, the reading dispensed with, and referred--the 1st to the Committee on Religion and Morals; the 2d and 4th to the Committee on Internal Improvement; the 3d to the Committee on Propositions and Grievances, and the 5th was ordered to be printed, and referred to the Committee on Immigration and Labor.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Gilbert, from the Committee on Courts of Justice—

An act for the benefit of Warren county.

By same—

An act to authorize the Hancock county court to increase the county levy of said county.

By same—

An act for the benefit of Crittenden county.

By same—

An act to change the time of holding the quarterly courts in Ballard county.

By Mr. Chenoweth, from the Committee on Railroads—

An act for the benefit of Madisonville.

By Mr. Webb, from the Committee on Agriculture and Manufactures—

An act to amend the charter of the Harrison County Agricultural Society.

With an amendment to the last named bill.

Which was adopted.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Webb, from the Committee on Agriculture and Manufactures, to whom was referred a bill, which originated in the House of Representatives, entitled

An act incorporating the Walton Agricultural and Mechanical Association, in Boone county,

Reported the same, with the expression of opinion that said bill ought not to pass.

And the question being taken on ordering said bill to be read a third time, it was decided in the negative.

So said bill was disagreed to.

The following bills were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Standeford, from the Committee on Internal Improvement—

A bill for the benefit of the Mulberry and Consolation Turnpike Road Company, in the county of Shelby.

By same—

A bill to incorporate the Owenton and Twin Creek Turnpike Road Company.

By Mr. Duvall, from the Committee on Internal Improvement—

A bill to incorporate the West Liberty and Cross Roads Turnpike Road Company.

By Mr. Clay, from the Committee on Railroads—

A bill to incorporate the Uniontown, Princeton, and Southern Railroad Company.

By Mr. Chenoweth, from the Committee on Railroads—

A bill for the benefit of the Maysville and Lexington Railroad Company, Northern Division.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Haggard offered the following resolutions, viz:

1. *Resolved*, That it is the pleasure of the Senate to receive any communication from the Board of Trade of the city of Louisville, touching the important subject of inspection and sale of leaf tobacco in said city.

2. *Resolved*, That the Senate will postpone the consideration of Senate bill No. 67, the title of which is "An act regulating the inspection and selling of tobacco in the city of Louisville," until Monday, the 22d inst.

Which was adopted.

Leave was given to bring in the following bills, viz:

On motion of Mr. Vories—

1. A bill to incorporate the Deposit Bank of Carrollton.

On motion of Mr. Burton—

2. A bill for the benefit of Maxville precinct, in Washington county.

On motion of same—

3. A bill for the benefit of the town of Campbellsville, in Taylor county.

On motion of Mr. Gatewood—

4. A bill to amend the charter of the town of Bowling Green.

On motion of Mr. Campbell—

5. A bill to amend an act, entitled "An act to incorporate the Kentucky and Tennessee Railroad Company," approved February 22d, 1871.

On motion of Mr. Whitaker—

6. A bill to repeal an act, entitled "An act for the benefit of school district No. 8, in Lewis county."

On motion of Mr. Darby—

7. A bill to define, establish, and mark the line between Christian and Caldwell counties.

On motion of Mr. Wm. Johnson—

8. A bill to amend the charter of the Shelby Railroad Company.

Ordered, That the Committee on Banks and Insurance prepare and bring in the 1st; the Committee on Religion and Morals the 2d and 3d; the Committee on Education the 4th; the Committee on Railroads the 5th and 8th; the Committee on Courts of Justice the 7th, and that a select committee, consisting of Messrs. Whitaker, Campbell, and Hargis, be requested to prepare and bring in the 6th.

Mr. Casey, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act to change the time of holding the annual court of claims of Bath county;

An act for the benefit of Wm. A. Foutz, surety for B. T. Haydon, late sheriff of Rowan county;

An act for the benefit of W. E. Clelland, sheriff of Mercer county;

An act to amend an act to establish an additional voting precinct in Carter county, approved March 10th, 1870;

And enrolled bills and resolutions, which originated in the House of Representatives, of the following titles, viz:

An act to provide for recording deeds to burial lots in Green Lawn Cemetery at Franklin;

An act for the benefit of William McMurtry, of Monroe county;

An act to provide for the existing deficit in the Treasury;

An act to amend an act to incorporate the Montgomery and Bath Counties Associated Turnpike Road Company;

An act to amend an act to incorporate the Allensville Turnpike Company, in Clark county;

An act to authorize the committee appointed by the Kenton county court of claims to sell the poor house farm of said county;

An act authorizing the clerk of the Fleming county court to make up and correct omissions in the records of said court;

An act to change the time of holding the court of common pleas in Ballard county;

Resolution in regard to Public Printer and Public Binder;

Resolution providing pay of pages and other employees of General Assembly;

And had found the same truly enrolled.

Said bills and resolutions having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Casey reported that the committee had performed that duty.

Mr. Chenoweth, from the Committee on Railroads, to whom had been referred a bill, which originated in the House of Representatives, entitled

An act to authorize the trustees of the Cincinnati Southern Railway to acquire the right of way, and to extend a line of railway through certain counties in this Commonwealth,

Reported the same without amendment.

Mr. Chenoweth then moved to postpone the further consideration of said bill, and make it the special order of the day for Thursday, the 25th inst.

Pending the consideration of which motion, the hour arrived for taking up the unfinished special order of yesterday, being

An act to amend the laws of evidence in this Commonwealth.

Mr. Wm. Johnson then moved to postpone the further consideration of said bill and proposed amendments until to-morrow.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Casey and Wm. Johnson, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	W. W. Frazer,	Alfred T. Pope,
R. A. Burton,	Thomas F. Hargis,	K. F. Prichard,
W. H. Chelf,	Edwin Hawes,	E. D. Standeford,
James F. Clay,	J. B. Haydon,	W. L. Vories,
Wm. L. Conklin,	John W. Johnson,	Ben. J. Webb,
F. W. Darby,	Wm. Johnson,	Emery Whitaker—18.

Those who voted in the negative, were—

Robert Boyd,	Wm. P. Duvall,	G. A. C. Holt,
E. P. Campbell,	W. McKee Fox,	A. L. Martin,
James B. Casey,	John J. Gatewood,	A. L. McAfee,
J. Q. Chenoweth,	Jesse C. Gilbert,	O. D. McManama,
G. W. Connor,	D. R. Haggard,	Mr. Speaker (Carlisle),
John E. Cooper,	H. S. Hale,	A. G. Talbott—19.
J. H. Dorman,		

The Senate then proceeded to the consideration of said bill and amendments.

Which bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That no person shall be held incompetent to testify in any civil action or proceeding, or in any criminal or penal prosecution, in any court in this Commonwealth, on account of race or color.

§ 2. That all laws in conflict with this act be, and the same are hereby, repealed.

§ 3. This act shall be in force from its passage.

The amendment proposed by Mr. Prichard as a substitute for said bill, which amendment, as amended on yesterday, reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, No person shall be disqualified as a witness, in any civil action or special proceeding, by reason of his interest in the event of the same as a party or otherwise; but such interest may be shown for the purpose of affecting his credibility.

§ 2. Nothing in the preceding section contained shall, in any manner, affect the laws now existing relating to the settlement of estates of deceased persons, infants, idiots, or lunatics, or the attestation of the execution of wills, or of conveyances of real estate, or of any other instrument required by the law to be attested.

§ 3. Neither husband nor wife shall be competent for or against each other, or concerning any communication made by one to the other, during marriage, whether called while that relation subsisted or afterwards: *Provided, however*, That in actions where the wife, were she a *feme sole*, would be plaintiff or defendant, the wife may testify, or her husband may testify, but both shall not be permitted to testify.

§ 4. No party shall be allowed to testify, by virtue of section 1, in any action or special proceeding where the adverse party is deaf and dumb, or an infant, or is the guardian or trustee of a child or children of a deceased person, or is the committee of an idiot or lunatic, or is the executor or administrator of a deceased person, or is the party claiming as heir or devisee of a deceased person, except in the following cases, viz:

1st. In actions or special proceedings with the executor, administrator, guardian, or trustee of infants, heir or devisee, as above specified, a party may testify to facts which occurred after the death of the decedent or parent.

2d. In actions or special proceedings upon contracts made by deceased persons through agents, and in which the agent shall testify, a party may testify to all that transpired between him and the agent in relation to such contract and the making thereof, and in relation to any conversations or transactions between himself and such agent testified to by the agent.

3d. In actions or special proceedings of either of the classes above specified, in which any adverse party, or any other person having a direct interest in the matter in controversy, shall be called as a witness, and testify to transactions or conversations with a party to such action, such party shall also be permitted to testify as to such specific transactions and conversations.

4th. In actions or special proceedings of either of the classes above specified in which one party calls a witness (other than an agent or person intrusted) to prove conversations or admissions of the opposite party, occurring before the death of said deceased person, but in his absence the opposite party may testify as to the same conversations or admissions.

5th. In actions or special proceedings of either of the classes above specified, in which the claim or defense is founded on book account, a party may testify as to the correctness of the original entries, if made by himself, or that they were made by a deceased person, or by a disinterested person non-resident of the State at the time of trial; and on such authentication of the account-book and entries, said book and entries shall be admissible as evidence in the case.

6th. If the deposition of a party who has died during the pendency of the suit shall be given in evidence on the trial of such cause, the opposite party may testify as to all matters contained in said deposition, and not excluded by irrelevancy or inadmissibility. In all actions or special proceedings by or against a surviving partner or partners, or a surviving joint contractor or contractors, no adverse party to the suit shall be a competent witness to testify to transactions or declarations or admissions made by the deceased in the absence of his surviving partner or joint contractor.

§ 5. If a person offer himself as a witness, that shall be deemed a consent to the examination of his attorney on the same subject, within the meaning of subdivision 5, section 670, of the Civil Code.

§ 6. No person who would, if a party, be incompetent to testify

under the provisions of section 4 of this act, shall become competent by reason of the assignment of his claim.

§ 7. No one shall be incompetent as a witness because of his or her race or color.

§ 8. This act shall be in effect from its passage; but sections 1 to 6, inclusive, shall not apply to actions or special proceedings instituted before its passage.

Mr. Darby then moved to amend the amendment by inserting after the 6th the following additional section, viz:

No party shall be deemed competent to testify in behalf of his own interest, and against the interest of an adverse party, in any action or special proceeding in which such adverse party is not before the court otherwise than by constructive service.

Which was adopted.

Mr. Darby then moved to amend the amendment as follows, viz:

Add to section 8 the following: And in which the answer shall have been filed before such passage.

Which was adopted.

Mr. Chelf then moved to amend the amendment as follows, viz:

Amend subdivision 5, of section 4, by striking out all after the word "himself" in the 27th line. Strike out section 5.

Which amendments were adopted.

Mr. Campbell offered the following amendment, viz:

In section 3 strike out all after the word "testify" and before the word "or."

Which was rejected.

Ordered, That the further consideration of said bill and amendment be postponed until to-morrow.

And then the Senate adjourned.

THURSDAY, JANUARY 18, 1872.

A message was received from the House of Representatives, announcing their disagreement to the passage of a bill, which originated in the Senate, of the following title, viz:

An act to change the county of Allen from the 6th to the 4th judicial district.

A message was also received from the House of Representatives, announcing that they had passed a bill, which originated in the Senate, of the following title, viz:

An act for the benefit of the Maysville and Lexington Railroad Company, Northern Division.

The following petitions and memorials were presented, viz:

By Mr. Whitaker—

1. The petition of sundry citizens of Lewis county, praying an increase of taxation to build turnpike roads.

By Mr. Standeford—

2. The memorial of the College of Physicians and Surgeons of Louisville, in relation to the establishment of a new institution for the insane.

By Mr. Webb—

3. The memorial of F. Hagan, in relation to providing for the care of lunatics in the city of Louisville and Jefferson county.

By Mr. McManama—

4. The petition of sundry citizens of Gallatin county, praying the passage of an act to change the line between the counties of Gallatin and Carroll.

Which petitions and memorials were received, the reading dispensed with, and referred—the 1st to the Committee on Internal Improvement; the 2d and 3d to the Committee on Charitable Institutions, and the 4th to the Committee on Propositions and Grievances.

A message in writing was received from the Governor by Mr. Botts, Assistant Secretary of State.

The rule of the Senate being dispensed with, said message was taken up and read as follows, viz:

STATE OF KENTUCKY, EXECUTIVE DEPARTMENT,
FRANKFORT, January 16, 1872.

Gentlemen of the Senate:

I nominate for your advice and consent John R. Cleary as a proper man to be commissioned one of the Board of Managers of the Eastern Lunatic Asylum in place of John R. Viley resigned.

Respectfully,

P. H. LESLIE.

Resolved, That the Senate advise and consent to said appointment.

The Senate then took up for consideration the unfinished report of yesterday from the Committee on Railroads, it being

An act to authorize the trustees of the Cincinnati Southern Railway to acquire the right of way, and to extend a line of railway through certain counties in this Commonwealth,

Together with the motion heretofore made by Mr. Chenoweth to postpone the further consideration of said bill until Thursday, the 25th inst.

And the question being taken on the adoption of said motion, it was decided in the affirmative.

The Senate, according to order, resumed the consideration of a bill, entitled

A bill to amend the laws of evidence in this Commonwealth.

Mr. Chelf then moved to amend said bill as follows, viz:

Amend section 1 by adding the following: *Provided*, That when a party, plaintiff or defendant, shall offer to testify in his case, such party shall be the first witness examined, and after being once examined shall not be recalled, except as to new matter.

And the question being taken on the adoption of said amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Hargis and Prichard, were as follows, viz:

Those who voted in the affirmative, were—

R. A. Burton,	Thomas F. Hargis,	A. L. Martin,
W. H. Chelf,	Edwin Hawes,	O. D. McManama,
W. W. Frazer,	J. B. Haydon,	A. G. Talbott,
D. R. Haggard,	John W. Johnson,	W. L. Vories—13.
H. S. Hale,		

Those who voted in the negative, were—

John S. Barlow,	G. W. Connor,	William Johnson,
Robert Boyd,	John E. Cooper,	Alfred T. Pope,
E. P. Campbell,	F. W. Darby,	K. F. Prichard,
James B. Casey,	J. H. Dorman,	E. D. Standeford,
J. Q. Chenoweth,	Wm. P. Duvall,	Ben. J. Webb,

James F. Clay, John J. Gatewood, Emery Whitaker—20.
Wm. L. Conklin, Jesse C. Gilbert,

Mr. Burton then moved to amend said substitute as follows, viz:

Strike out the 7th section.

On motion of Mr. Talbott,

Ordered, That said bill and amendments be postponed, and made the special order for to-morrow.

Mr. Casey, from the Committee on Enrollments, reported that the committee had examined an enrolled bill and resolution, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of the Garrard County and Kirksville Turnpike Road Company;

Resolution requesting the Governor to return, unsigned, a certain bill;

And had found the same truly enrolled.

Said bill and resolution having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Casey reported that the committee had performed that duty.

Leave was given to bring in the following bills, viz:

On motion of Mr. Talbott—

1. A bill to empower the county court of Franklin county to suppress disorder and enforce the law in Franklin and other counties in this State.

On motion of Mr. Gilbert—

2. A bill to incorporate the Benevolent Society in the city of Paducah.

On motion of same—

3. A bill to amend section 16, article 2, chapter 83, Revised Statutes.

On motion of Mr. Hale—

4. A bill to incorporate the Mississippi River Levee Company.

On motion of Mr. Gatewood—

5. A bill to amend the charter of the Bowling Green Water-works Company.

red, That the Committee on Revised Statutes and Codes of e prepare and bring in the 2d; the Committee on Finance the e Committee on Internal Improvement the 4th and 5th, and

that a select committee, composed of Messrs. Talbott, Holt, and Whitaker, be requested to prepare and bring in the 1st.

And then the Senate adjourned.

FRIDAY, JANUARY 19, 1872.

A message was received from the House of Representatives, announcing that they had passed bills of the following titles, viz:

1. An act to repeal an act authorizing the Auditor of Public Accounts to pay the Public Binder thirty-three per cent. upon former rates.

2. An act incorporating the Goshen, Oldhamburg, and Sligo Turnpike Road Company.

3. An act to amend the charter of the Western Insurance and Banking Company.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st to the Committee on Library and Public Buildings and Offices; the 2d to the Committee on Internal Improvement, and the 3d to the Committee on Banks and Insurance.

The following petitions were presented, viz:

By Mr. Campbell—

1. The petition of the justices of the peace of Christian county, praying for an increase of compensation for their services for holding levy court.

By Mr. Pope—

2. The petition of sundry citizens of Louisville, praying the passage of an act encouraging immigration.

By Mr. Darby—

3. The petition of sundry citizens of Caldwell and Christian counties, praying the passage of an act for running and marking the line between said counties.

By Mr. Haggard—

4. The petition of sundry citizens of Burksville, praying the passage of an act preventing the sale of spirituous liquors in said county.

Which petitions were received, the reading dispensed with, and referred—the 1st to the Committee on Claims; the 2d was ordered to be printed, and referred to the Committee on Immigration and Labor; the 3d to the Committee on Courts of Justice, and the 4th to the Committee on Religion and Morals.

The Senate resumed the consideration of a bill, entitled

A bill to amend the laws of evidence in this Commonwealth,

Together with the amendment proposed by Mr. Burton on yesterday.

Said amendment reads as follows, viz:

Strike out the 7th section.

Mr. Prichard then moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The question was then taken on the adoption of the amendment proposed by Mr. Burton, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Cooper and Prichard, were as follows, viz:

Those who voted in the affirmative, were—

Robert Boyd,	G. W. Connor,	John W. Johnson,
E. P. Campbell,	F. W. Darby,	Wm. Johnson,
James B. Casey,	Wm. P. Duvall,	Alfred T. Pope,
W. H. Chelf,	W. McKee Fox,	K. F. Prichard,
J. Q. Chenoweth,	John J. Gatewood,	E. D. Standeford,
James F. Clay,	Jesse C. Gilbert,	Ben. J. Webb,
Wm. L. Conklin,	D. R. Haggard,	Emery Whitaker—21.

Those who voted in the negative, were—

John S. Barlow,	H. S. Hale,	A. L. Martin,
R. A. Burton,	Thomas F. Hargis,	A. L. McAfee,
John E. Cooper,	Edwin Hawes,	O. D. McManama,
J. H. Dorman,	J. B. Haydon,	A. G. Talbott,
W. W. Frazer,	G. A. C. Holt,	W. L. Vories—15.

The question was then taken on the adoption of the amendment proposed by Mr. Prichard, as amended, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Wm. Johnson and Prichard, were as follows, viz:

Those who voted in the affirmative, were—

Robert Boyd,	F. W. Darby,	H. S. Hale,
E. P. Campbell,	J. H. Dorman,	John W. Johnson,

James B. Casey,	William P. Duvall,	Alfred T. Pope,
W. H. Chelf,	W. McKee Fox,	K. F. Prichard,
J. Q. Chenoweth,	W. W. Frazer,	E D. Standeford,
James F. Clay,	John J. Gatewood,	Ben. J. Webb,
Wm. L. Conklin,	Jesse C. Gilbert,	Emery Whitaker—23.
G. W. Connor,	D. R. Haggard,	

Those who voted in the negative, were—

John S. Barlow,	J. B. Haydon,	A. L. McAfee,
R. A. Burton,	G. A. C. Holt,	O. D. McManama,
John E. Cooper,	William Johnson,	A. G. Talbott,
Thomas F. Hargis,	A. L. Martin,	W. L. Vories—13.
Edwin Hawes,		

Ordered, That said bill, as amended, be engrossed and read a third time.

Said bill was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, No person shall be disqualified as a witness, in any civil action or special proceeding, by reason of his interest in the event of the same as a party or otherwise; but such interest may be shown for the purpose of affecting his credibility.

§ 2. Nothing in the preceding section contained shall, in any manner, affect the laws now existing relating to the settlement of estates of deceased persons, infants, idiots, or lunatics, or the attestation of the execution of wills, or of conveyances of real estate, or of any other instrument required by the law to be attested.

§ 3. Neither husband nor wife shall be competent for or against each other, or concerning any communication made by one to the other, during marriage, whether called while that relation subsisted or afterwards: *Provided*, *however*, That in actions where the wife, were she a *feme sole*, would be plaintiff or defendant, the wife may testify, or her husband may testify, but both shall not be permitted to testify.

§ 4. No party shall be allowed to testify, by virtue of section 1, in any action or special proceeding where the adverse party is deaf and dumb, or an infant, or is the guardian or trustee of a child or children of a deceased person, or is the committee of an idiot or lunatic, or is the executor or administrator of a deceased person, or is the party claiming as heir or devisee of a deceased person, except in the following cases, viz:

1st. In actions or special proceedings with the executor, administrator, guardian, or trustee of infants, heir or devisee, as above specified, a party may testify to facts which occurred after the death of the decedent or parent.

2d. In actions or special proceedings upon contracts made by deceased persons through agents, and in which the agent shall testify, a party may testify to all that transpired between him and the agent in relation to such contract and the making thereof, and in relation to any conversations or transactions between himself and such agent testified to by the agent.

3d. In actions or special proceedings of either of the classes above specified, in which any adverse party, or any other person having a direct interest in the matter in controversy, shall be called as a witness, and testify to transactions or conversations with a party to such action, such party shall also be permitted to testify as to such specific transactions and conversations.

4th. In actions or special proceedings of either of the classes above specified, in which one party calls a witness (other than an agent or person intrusted) to prove conversations or admissions of the opposite party, occurring before the death of said deceased person, but in his absence the opposite party may testify as to the same conversations or admissions.

5th. In actions or special proceedings of either of the classes above specified, in which the claim or defense is founded on book account, a party may testify as to the correctness of the original entries, if made by *himself*.

6th. If the deposition of a party who has died during the pendency of the suit shall be given in evidence on the trial of such cause, the opposite party may testify as to all matters contained in said deposition, and not excluded by irrelevancy or inadmissibility. In all actions or special proceedings by or against a surviving partner or partners, or a surviving joint contractor or contractors, no adverse party to the suit shall be a competent witness to testify to transactions or declarations or admissions made by the deceased in the absence of his surviving partner or joint contractor.

§ 5. No person who would, if a party, be incompetent to testify under the provisions of section four of this act, shall become competent by reason of the assignment of his claim.

§ 6. No party shall be deemed competent to testify in behalf of his own interest, and against the interest of an adverse party, in any action or special proceeding in which such adverse party is not before the court otherwise than by constructive service.

§ 7. No one shall be incompetent as a witness because of his or her race or color.

§ 8. This act shall be in effect from its passage; but sections one to six, inclusive, shall not apply to actions or special proceedings instituted before its passage, and in which the answer shall have been filed before such passage.

The question was then taken on the passage of said bill, as amended, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Wm. Johnson and Prichard, were as follows, viz:

Those who voted in the affirmative, were—

Robert Boyd,	G. W. Connor,	William Johnson,
E. P. Campbell,	William P. Duvall,	Alfred T. Pope,
James B. Casey,	W. McKee Fox,	K. F. Prichard,
W. H. Chelf,	John J. Gatewood,	E. D. Standeford,
J. Q. Chenoweth,	Jesse C. Gilbert,	Ben. J. Webb,

James F. Clay, D. R. Haggard, Emery Whitaker—20.
Wm. L. Conklin, John W. Johnson,

Those who voted in the negative, were—

John S. Barlow, H. S. Hale, A. L. Martin,
R. A. Burton, Thomas F. Hargis, A. L. McAfee,
John E. Cooper, Edwin Hawes, O. D. McManama,
F. W. Darby, J. B. Haydon, A. G. Talbott,
J. H. Dorman, G. A. C. Holt, W. L. Vories—16.
W. W. Frazer,

Resolved, That the title of said bill be amended to read,

An act to amend chapter 107 of the Revised Statutes.

The following bills were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Pope, from the Committee on the Judiciary—

A bill to incorporate the Grand Central Industrial Exposition.

By Mr. Standeford, from the Committee on Internal Improvement—

A bill to incorporate the Mississippi River Levee Company.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Conklin, from the Committee on Finance, reported a bill, entitled

A bill to amend an act, entitled "An act to provide for the payment of the State debt."

Which bill was taken up, read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

Said bill was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That so much of an act, entitled "An act to provide for the payment of the State debt," approved March 23d, 1871, as directs the Governor to appoint an agent to negotiate for and purchase, by and with the consent and approval of the Governor, the outstanding bonded indebtedness of the State, be, and the same is hereby, re-

pealed, and that the power and authority conferred upon such agent by the first and second sections of the above recited act shall cease from and after the passage of this act.

§ 2. That this act shall be in force from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Hawes and John W. Johnson, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	G. W. Connor,	H. S. Hale,
Robert Boyd,	John E. Cooper,	Thomas F. Hargis,
R. A. Burton,	F. W. Darby,	J. B. Haydon,
E. P. Campbell,	J. H. Dorman,	John W. Johnson,
James B. Casey,	Wm. P. Duvall,	Wm. Johnson,
W. H. Chelf,	W. McKee Fox,	O. D. McManama,
J. Q. Chenoweth,	W. W. Frazer,	A. G. Talbott,
James F. Clay,	John J. Gatewood,	Ben. J. Webb,
Wm. L. Conklin,	D. R. Haggard,	Emery Whitaker—27.

Those who voted in the negative, were—

Jesse C. Gilbert,	A. L. McAfee,	E. D. Standeford,
Edwin Hawes,	Alfred T. Pope,	W. L. Vories—7.
G. A. C. Holt,		

Resolved, That the title of said bill be as aforesaid.

Mr. McManama, from the Committee on Courts of Justice, to whom was referred a bill, which originated in the House of Representatives, entitled

An act to authorize the county court of Meade county to make a levy and pay debts already created by said court,

Reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A message was received from the Governor by Mr. Botts, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to incorporate the Louisville Union Depot and Transfer Company.

An act for the benefit of the estate of Thos. H. Crawford.

An act to amend an act to establish an additional voting precinct in Carter county, approved March 10th, 1870.

An act for the benefit of Wm. A. Foutz, surety for B. T. Haydon, late sheriff of Rowan county.

An act for the benefit of W. E. Clelland, sheriff of Mercer county.

The Speaker laid before the Senate a communication of the Governor in relation to the bond recently executed by the Treasurer.

Ordered, That said communication be referred to the Committee on Finance.

Mr. Hawes read and laid on the table a joint resolution.

Mr. Casey, from the Committee on Enrollments, reported that the committee had examined an enrolled bill, which originated in the Senate, of the following title, viz:

An act for the benefit of the Maysville and Lexington Railroad Company, Northern Division;

And enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of Madisonville;

An act for the benefit of Warren county;

An act to authorize the Hancock county court to increase the county levy;

An act for the benefit of Crittenden county;

An act to change the time of holding the quarterly courts in Ballard county;

An act to authorize the county court of Meade county to make a levy and pay debts already created by said court;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Casey reported that the committee had performed that duty.

Leave was given to bring in the following bills, viz:

On motion of Mr. Hargis—

1. A bill to repeal the Louisville chancery court.

On motion of Mr. Standeford—

2. A bill providing for advertising certain judicial sales in Jefferson county.

On motion of same—

3. A bill to amend article 1, chapter 84 (Public Roads) of the Revised Statutes.

On motion of same—

4. A bill to incorporate Beall's Branch Railway Company.

On motion of Mr. Darby—

5. A bill to provide for establishing and marking the line between Christian and Caldwell counties.

Ordered, That the Committee on Courts of Justice prepare and bring in the 1st and 5th; the Committee on the Judiciary the 2d; the Committe on Revised Statutes and Codes of Practice the 3d, and the Committee on Railroads the 4th.

Mr. Talbott, from the joint committee, who were appointed to withdraw from the Governor a bill, which originated in the House of Representatives, entitled

An act to amend the charter of the Owensboro and Russellville Railroad,

Reported that the committee had discharged that duty, and said bill was by him handed in at the Clerk's desk.

Said bill was then taken up.

On motion, the vote by which said bill was passed was reconsidered.

A message was received from the House of Representatives, asking leave to withdraw said bill from the Senate.

Which was granted, and the bill delivered to the messenger.

Mr. Martin, from the Committee on Education, to whom had been referred a bill, which originated in the House of Representatives, entitled

An act to enable the county of Madison to subscribe to, and provide means for, an institution of learning in Richmond,

Reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

On motion of Mr. Holt, indefinite leave of absence was granted Mr. Whitaker.

And then the Senate adjourned.

SATURDAY, JANUARY 20, 1872.

In the absence of the Speaker, Mr. Wm. Johnson was called to the Chair.

Mr. Chelf moved to reconsider the vote by which the Senate on yesterday passed a bill, entitled

An act to amend chapter 107 of the Revised Statutes.

And the question being taken thereon, it was decided in the affirmative.

The votes dispensing with the third reading of said bill, and also of ordering said bill to be read a third time, were reconsidered.

Mr. Chelf then moved to amend said bill as follows, viz:

Amend subsection five of section four as follows: After the word "himself," printed in italics, insert the following: And on such authentication of the account book and entries, said book and entries shall be admissible as evidence in the case.

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be amended to read,

An act to amend the laws of evidence in this Commonwealth.

A message was received from the House of Representatives, announcing that they had concurred in the amendment proposed by the Senate to a bill, which originated in the House of Representatives, entitled

An act to amend the charter of the town of Winchester.

That they had passed bills, which originated in the Senate, of the following titles, viz:

An act for the security of persons furnishing labor or materials in the construction or repairs of railroads, turnpikes, or gravel roads.

An act to amend an act, approved February 10th, 1866, entitled "An act to exempt homesteads from sale for debt."

An act to amend section 6, article 6, chapter 32, title "Elections," of the Revised Statutes.

An act to amend chapter 28 of the Revised Statutes, title "Crimes and Punishments."

An act to amend section 4 of article 2, of chapter 83, of the Revised Statutes, regulating tax on theatrical performances.

That they have passed bills of the following titles, viz:

1. An act to amend section 2, article 13, chapter 36, of the Revised Statutes.

2. An act to repeal an act, entitled "An act to amend the charter of the town of Lancaster," approved March 11th, 1870.

3. An act to amend an act, entitled "An act for the benefit of the citizens of Jackson county, in relation to the Wilderness Turnpike Road."

4. An act to regulate further the drawing of standing jurors for the Jefferson circuit court.

5. An act to change the boundary line of the city of Columbus.

6. An act to amend the charter of the city of Hopkinsville.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st to the Committee on Revised Statutes and Codes of Practice; the 2d and 6th to the Committee on the Judiciary; the 3d to the Committee on Internal Improvement; the 4th to the Committee on Courts of Justice, and the 5th to the Committee on Propositions and Grievances.

A message was also received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills and resolutions, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of common school district No. 23, in Livingston county.

An act for the benefit of B. K. Bethurum, late sheriff of Rockcastle county, and his sureties.

An act for the benefit and relief of Haywood Gilbert, former sheriff of Clay county, and his sureties, for the year 1869.

An act for the benefit of William McMurtry, of Monroe county.

An act to amend an act to incorporate the Montgomery and Bath Counties Associated Turnpike Road Company.

An act to provide for the existing deficit in the Treasury.

An act to amend an act to incorporate the Allensville Turnpike Company, in Clark county.

An act to change the time of holding the court of common pleas in Ballard county.

An act to provide for recording deeds to burial lots in Green Lawn Cemetery at Franklin.

An act to change the time of holding the annual court of claims of Bath county.

An act authorizing the clerk of the Fleming county court to make up and correct omissions in the records of said court.

An act to authorize the committee appointed by the Kenton county court of claims to sell the poor-house farm of said county.

An act for the benefit of the Garrard County and Kirksville Turnpike Road Company.

Resolution on the death of Rev. R. J. Breckinridge.

Resolution in regard to Public Printer and Public Binder.

Resolution providing pay of pages and other employees of General Assembly.

Resolution requesting the Governor to return, unsigned, a certain bill.

Mr. Boyd presented the petition of sundry citizens of Laurel county, praying the passage of an act abolishing the toll-gates on the Wilderness Turnpike Road.

Which was received, the reading dispensed with, and referred to the Committee on Propositions and Grievances.

The following bills were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Chelf, from the Committee on Revised Statutes and Codes of Practice—

1. A bill to authorize the county court of Green to issue bonds and levy a tax for certain purposes.

By same—

2. A bill to amend the charter of the town of Owenton.

By Mr. Campbell, from the Committee on Revised Statutes and Codes of Practice—

3. A bill to amend an act, entitled "An act for the benefit of the Eastern and Western Lunatic Asylums," approved February 18th, 1864.

By Mr. Gatewood, from the Committee on Education—

4. A bill to amend the charter of the town of Bowling Green.

By Mr. Barlow, from the Committee on Claims—

5. A bill for the benefit of P. G. Lawson, of Warren county.

By Mr. Haggard, from the Committee on Internal Improvement—

6. A bill to amend the charter of the Bowling Green Water-works Company.

By Mr. McManama, from a select committee—

7 A bill to amend and reduce into one the several acts incorporating the town of Brooksville, in Bracken county.

By Mr. Pope, from the Committee on Immigration and Labor—

8. A bill to establish a Bureau of Immigration,

Accompanied by the following report, viz:

Your committee, to whom was referred a leave to bring in a bill to encourage immigration and labor, have had the same under consideration, and beg leave to report the following bill, with the expression of opinion that the same should pass. Believing the subject of immigration to be not inferior in importance to any question that may come before the Senate, your committee desire to express some of the reasons inducing their action in the premises.

The bill which we present for your consideration creates a new Department of the Government. As a general rule, we are averse to extending the area of legislation, for we believe that the amplest personal liberty is essential to the full development of the individuality and independence of the citizen; and hence we think it wise, as far as practicable, to confine legislation to the simplest fundamental designs of government; for new laws, by imposing new duties, cause additional expenses, and by increasing the functions, increase the power and influence of the office-holders. Besides, individual enterprise and voluntary agency are, ordinarily, equal to the necessities of a State. But where it is obvious that private exertion will not accomplish a scheme of public utility, then the interposition of Government should be invoked.

Immigration is such a scheme. It is important to our most cherished interests; it will benefit every section of our State, and all classes of our people; it will increase the taxable property, and thereby augment our revenues (and is necessarily, though indirectly, connected with the people of foreign countries)

Up to 1860 our people were comparatively indifferent to immigra-

tion; but during the last decade public interest in this question has gradually increased; and yet the experience of that period proves that neither individuals nor associations of individuals can accomplish what is desired, and there is no reasonable probability that the individual or organized action of our citizens will be more effective in the future than it has been in the past.

To those Senators, however, who may urge that immigration will be more efficiently attracted by private exertions, the committee would remark that this bill does not restrain such exertions; on the contrary, the Bureau is expressly "authorized, if it be deemed advisable, to co-operate with, and furnish publications to, any society, organization, or association, for the accomplishment of the purposes of this act." The policy of the bill is to secure co-operation; not to assume exclusive control.

The Bureau is to be located in Louisville, because Louisville is the commercial emporium, and, consequently, the railway centre of the State, and, therefore, the most convenient and economical distributing point for immigrants, five sevenths of whom come by way of New York City.

If any other city were selected, the immigrants destined for perhaps more than two thirds of the State, must still pass through Louisville. Every railway in Kentucky, and the great competing trunk lines from the North, connect with, or terminate in, the city of Louisville. Considerations of this nature have induced the committee to place the Bureau in that metropolis.

The bill provides for a Commissioner (to be appointed by the Governor), who is authorized to designate three agents, one of whom is to reside in New York or other seaboard city, and the others are to visit Europe. Their salaries are left blank in the bill, because we believe we are in favor of a more liberal compensation to those officers, and a larger appropriation for the general objects of the bill, than the General Assembly will vote. We, therefore, are unwilling to prejudice the bill by the insertion of what may be considered extravagant sums of money, and, at the same time, we will not report in favor of a parsimonious appropriation.

Section 4 declares "that it shall not be lawful for said Commissioner to expend more money in conducting the affairs of said Bureau than is specifically appropriated by this act; and, as the Commissioner is the only officer authorized to draw money, it will be seen that more than the precise amount appropriated cannot be expended.

The committee think they have prescribed such regulations respecting the withdrawal and disbursement of the fund as will insure its faithful appropriation. The approval of the Governor and Auditor is essential to the validity of any warrant upon the Treasury. Bonds, with sufficient sureties, and itemized accounts and semi-annual reports, are required; and it is made the duty of the Governor to lay these reports before the General Assembly at each session thereof.

It is believed that the provisions of the proposed act, which imposes upon the Commissioner the duty of registering all applications for laborers, will enable a competent official to distribute the immigrants equally over the State; and that the exemption of a fixed maximum of property from taxation for a short period, will operate as a substantial and powerful inducement to that class of people to settle in our State. We will not, however, dwell upon the details of this bill, as it will be printed and placed upon the desk of each Senator and Representative.

Your committee, however, would further submit, that, at the beginning of our late civil conflict, Kentucky had a reliable and efficient system of labor. During the war she was, to some extent, the theatre of the conflict, and during its continuance subject to warlike incursions; portions of her territory were ravaged, and property of her citizens destroyed or consumed; the tranquil pursuit of agriculture was violently disturbed; living in the country, remote from cities or military stations became perilous; the citizen and his family were subject to perpetual alarms; cattle and other live stock were slaughtered; horses were pressed into the service; civil law was prostrate and martial law and courts-martial dominant; guerrilla warfare raged; slaves were insubordinate, and after several years of such demoralization the colored people were freed. The General Government, notwithstanding the formal assumption of the obligation to pay for them, was guilty of repudiation, and slaveholders received nothing for their property. The sudden emancipation of 205,781 slaves, worth $107,494,527, struck down our industrial system. Had the spirit of Radical fanaticism stopped here, Kentucky would have easily regained her former prosperity; for the freedman was kindly in his nature, and loved his "old" master and mistress, and was content to live with them. The parties were familiar with one another's "ways," and the freedman had such memories associated with the farm and homestead that he naturally

desired to rear his children under the old cabin roof, and to die where he, and it may be his ancestors, had been born and bred. Their interests were identical, not antagonistic. Following the promptings of common interest and affection based upon long and intimate acquaintance, all would, no doubt, have gone on together happily and harmoniously, repairing the waste places and restoring the prosperity of the Commonwealth. Unfortunately the exigencies of the party in power have partially destroyed those sentiments of good-will and mutual confidence, which should subsist between parties thus situated.

Notwithstanding we had heard, since our earliest youth, from the Radical press and from Radical statesmen, that the manumission of the slaves would remove the cancer of civil discord from the body-politic, and insure harmony and concord to the whole people, no sooner had the clang of the fallen fetter echoed over the land than agitations, nearly as fierce and denunciatory as had been waged against slavery, stirred up the masses. The bad passions of war yet lingered, and these appeals of vindictive demagogues evoked them into action. Instead of permitting the colored man to become somewhat habituated to freedom, with its attendant duties and responsibilities, before conferring additional privileges upon him, the Radical party hastened, with unstatesmanlike swiftness, to give him "civil rights," and finally the elective franchise. For more than twenty years before the great war that party had labored for words in which to portray the debasing effects of slavery upon the morals and the intellect; and now they turned suddenly and told us that these victims of that degrading slavery were fitted to discharge all the delicate duties of American citizenship. Had the freedman been unmolested by the Federal Government after the war closed, he would doubtless have been at this time in a state of advancing prosperity; but, excited by the sudden reception of rights which he did not fully comprehend, and bewildered by political harangues, it is no wonder he was frequently misled and made the instrument to subserve the machinations of designing men.

But, in the opinion of your committee, the most injurious to the colored man (and consequently to the labor of Kentucky), of all the strange devices of this remarkable party, was the establishment of the Freedman's Bureau—a sort of eleemosynary swindle, making political proselytes, under the guise of philanthropy, at the expense

of the nation's Treasury. It was established on the ground that the freedman required the interposition of the Federal Government to protect him from the intelligence of the white man; and the same freedman, who, it was claimed, was competent to exercise the highest functions of citizenship, became the ward of the Central Government; and a national guardian, and innumerable local guardians, in the persons of Bureau officials, were salaried to shield him from his "simple-minded ignorance." The example and teachings of these officials were hurtful and unwise in the extreme; they tended to the stirring up of strife; to an antagonism of races; to the detriment of the peace of the communities. The colored people flocked to the cities, herded in tenements, and eat the rations of idleness and indolence from the hands of these men. The result was general derangement and paralysis of our system of labor; agriculture languished; and many farmers, who had been accustomed to have their plantations worked by the hand of the colored man, sought the lighter employments of city life, and from producers became largely consumers; or, where this was not the case, they almost invariably contracted the area of cultivation. Fields that had waved with oats, wheat, rye, barley, or corn, were sown in grass. We feel almost justified in declaring that these calamities have effected a radical change in the mode of tilling our soil, and in the kind and character, at least quantity, of our products. In our opinion, immigration is the surest remedy for these evils, furnishing men of our own race who will shed imperishable honor on our State and institutions.

The Old World has a redundant population. For example: the United Kingdom of Great Britan and Ireland has an average population of 239.09 to the square mile; the North German States, 227.77; Holland, 244.26; and Belgium, 442.92; whilst Kentucky has but 33.24 to the square mile; and, although her average is greater than that of her sister Southern States, it is less than that of any of the Middle States, except West Virginia. Across the ocean there is to be found an exhaustless supply, where land is scarce and the soil somewhat effete; where the people are crowded, wages low, and living difficult. Besides, the forms of Government of most of them are not such as win the popular heart. They are despotic; affording to the masses on open avenues to political and social distinction. The humble and the poor must tread in the footprints of their ancestry. The exactions of the military service are merciless and absorbing. Consequently

the sons of toil are restive and dissatisfied, and the constant receipt of letters from kinsmen and friends, who are prosperous and prospering in America, add to their discontent. These general facts of themselves are sufficient to induce the conclusion that thousands upon thousands of those who are thus situated, and who know of the young world on this side of the ocean, would emigrate, and reliable statistics demonstrate that such is the case. We find that there arrived, at the port of New York alone, from May 5th, 1847, to January 1st, 1870, as follows:

YEARS.	NUMBER.	YEARS.	NUMBER.
1847	129,062	1860	105,162
1848	189,176	1861	65,539
1849	220,603	1862	76,306
1850	212,796	1863	156,844
1851	289,601	1864	182,296
1852	300,992	1865	196,352
1853	284,945	1866	233,418
1854	319,223	1867	242,731
1855	136,233	1868	213,686
1856	142,342	1869	258,969
1857	183,773		
1858	78,589	Total	4,297,980
1859	79,322		

It will be observed that during a period of twenty-three years more than one tenth of the inhabitants of the United States arrived at one port of America; and that this tide of immigration furnishes to this country a very desirable and superior population will be recognized at once, by reference to the nationality of the immigrants as shown by the following table:

Ireland	1,664,009	Portugal	1,530
Germany	1,636,254	Nova Scotia	1,309
England	539,668	Russia	1,630
Scotland	111,238	Canada	715
France	77,200	Mexico	790
Switzerland	65,607	Sicily	297
Holland	28,347	China	414
Wales	23,834	East Indies	199
Norway	19,757	Greece	113
Sweden	64,538	Turkey	115
Italy	14,712	Arabia	8
Belgium	7,943	Africa	87
Spain	6,411	Australia	119
West Indies	6,507	Japan	101
Denmark	15,104	Central America	78
Poland	4,622	Unknown	107
Sardinia	2,306		
South America	2,337	Total	4,297,980

The following table, extending from August 1st, 1855, to January 1st, 1870, shows how these millions intended to distribute themselves among different States and countries:

New York	972,267	North Carolina	784
Pennsylvania	224,880	Mississippi	603
Illinois	213,315	Alabama	577
Wisconsin	121,660	New Dominion	816
Ohio	120,428	Nebraska	4,198
Massachusetts	111,129	South America	556
Canada	50,828	Cuba	349
New Jersey	63,109	Arkansas	302
Unknown	22,035	Florida	199
Michigan	52,205	Mexico	210
Connecticut	39,169	Oregon	189
Iowa	44,286	West Indies	141
Missouri	44,309	New Mexico	50
Indiana	29,576	Central America	113
Rhode Island	21,430	Vancouver's Isle	6
Maryland	18,033	Washington Territory	6
California	22,823	Australia	13
Minnesota	29,360	Bermuda	2
Utah	23,735	Sandwich Isles	1
Virginia	8,235	Russian America	1
Kentucky	11,657	British Columbia	466
District of Columbia	9,129	Nevada	80
Vermont	4,405	Colorado	170
Louisiana	4,353	Idaho	32
South Carolina	1,854	Dakotah	49
Maine	4,013	West Virginia	172
Tennessee	4,171	Montana	33
Georgia	1,623	Japan	1
New Hampshire	2,859	Wyoming Territory	5
Delaware	2,011	China	6
New Brunswick	1,028		
Texas	1,522	Total	2,296,619
Kansas	5,052		

The foregoing figures disclose the fact, that, during this period, even Utah, then inaccessible by railway, and buried in the depths of a wilderness, received 12,078 more immigrants than the State of Kentucky; that the District of Columbia received nearly as many; that the little State of Rhode Island, which has already a population of 153.14 to the square mile, received nearly double our number; and that Iowa, which was a territory in the memory of even our young men, received almost four times as many immigrants as this Commonwealth. Kentucky, which, in respect to population, was, in 1860, the ninth State in the Union, is now the eighth; but if a wise course had been pursued, she might have been in advance of several other States, whose population at this time exceeds hers.

If the colored element in our midst were as efficient field hands as they were before the war, our condition would be much more favorable. But, as before stated, the selfish policy of the party in power allured them from the farms, to the cultivation of which they are adapted by life-long training, and brought them to cities and towns. The extent to which this took place is shown by the ensuing comparison of the recent census with that of 1860:

the sons of toil are restive and dissatisfied, and the constant receipt of letters from kinsmen and friends, who are prosperous and prospering in America, add to their discontent. These general facts of themselves are sufficient to induce the conclusion that thousands upon thousands of those who are thus situated, and who know of the young world on this side of the ocean, would emigrate, and reliable statistics demonstrate that such is the case. We find that there arrived, at the port of New York alone, from May 5th, 1847, to January 1st, 1870, as follows:

YEARS.	NUMBER.	YEARS.	NUMBER.
1847	129,062	1860	105,162
1848	189,176	1861	65,539
1849	220,603	1862	76,306
1850	212,796	1863	156,844
1851	289,601	1864	182,296
1852	300,992	1865	196,352
1853	284,945	1866	233,418
1854	319,223	1867	242,731
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If the colored element in our midst were as efficient field hands as they were before the war, our condition would be much more favorable. But, as before stated, the selfish policy of the party in power allured them from the farms, to the cultivation of which they are adapted by life-long training, and brought them to cities and towns. The extent to which this took place is shown by the ensuing comparison of the recent census with that of 1860:

CITIES AND TOWNS.	WHITE POPULATION.		COLORED POPULATION.	
	1870.	1860.	1870.	1860.
Louisville	85,796	61,213	14,956	6,820
Lexington	7,629	6,241	7,171	3,080
Covington	23,401	16,198	1,104	273
Paducah	4,865	4,043	2,001	547
Frankfort	3,061	2,420	2,335	1,282
Hickman	936	922	181	84
Lancaster	410	459	331	262
Mayfield	625	520	154	36
Hawesville	2,698	1,023	348	105
Elizabethtown	1,083	462	660	94
Columbus	1,495	1,377	1,094	292
Nicholasville	487	465	602	335
Crab Orchard	376	224	255	120
Russellville	1,026	809	817	280
Lebanon	1,102	823	629	324
Maysville	4,024	3,156	681	343
Harrodsburg	1,104	1,154	1,101	614
Mount Sterling	597	466	443	288
Bardstown	1,125	583	710	23
Carlisle	445	354	161	6
Midway	298	309	234	93
Versailles	1,532	563	1,736	579
Caseyville	389	532	131	91

Your committee would respectfully call the attention of the Senate to the facts, that whilst the white population of Louisville has increased in the last ten years a fraction over 40 per cent., the colored element has increased about 120 per cent.; that while the white population of Lexington has increased about 22 per cent, the colored has increased 133 per cent.; that while the white population of Frankfort has increased about 28 per cent., the blacks have increased 82 per cent.; and that while the whites of Covington have increased 40 per cent., the blacks have increased almost 300 per cent. A further examination will disclose similar facts.

If the increase of the colored people in the *entire State* approximated their increase in the cities and towns, we could readily arrive at a satisfactory solution of these facts; but, by looking at the census tables, we see that the whites increased during the last decade 165,327, and the blacks decreased 13,957; hence it seems to us the conclusion is inevitable that the colored agricultural labor of Kentucky has abandoned the farms, and gone to the cities and towns; and, in this connection, we would suggest, that, almost without exception, the colored people are field hands, and not artisans and

mechanics, who naturally seek the cities and towns as the best markets for their skill.

This state of affairs is not peculiar to Kentucky; for we have trustworthy information, based upon the census tables before referred to, that during the period extending from 1860 to 1870, the increase of the whites in the principal cities of the Southern States was 35 50 per cent., while the increase of the blacks in the same cities was 101.81 per cent., or nearly three times that of the whites; and that during the same time the whites increased *in the Southern States*, including the District of Columbia, nearly 17 per cent., and the blacks 7.66, or at less than one half the rate of increase of the whites. In other words, that the blacks increased in the *main cities* of the South nearly three times as much as the whites, and at the same time in the Southern States their increase was less than one half of the rate of increase of the white population. But apart from the fact that the colored man manifests an indisposition to pursue the vocation of the field hand, and seeks the chance employments which city life afford him, we are satisfied that, even if the colored people were doing all that is demanded by the industrial necessities of the State, immigration should be encouraged by every legitimate means.

The development of this country is not due to the labors of the gentle classes of England, or their descendants, who first came to America; but rather to the sturdy frames and strong arms of the humble and needy, who had been hardened by a life of toil and privation. In fact, it is this class, and not the affluent and honored, who leave the land of their birth, and subject themselves to the vicissitudes which environ the immigrant. The man who can rend the ties of country, home, and friends to go forth in search of personal and pecuniary independence, must possess no ordinary courage and character. Few incapables are among such as these. This is the high order of men who come to America, and whom we would have come to Kentucky.

The surest way to induce this immigration is to secure an observance of law and consequent protection to persons and property; a sound financial condition and consequent light taxation. That war, insurrection, violence, insecurity, monetary distress, discourage immigration and produce emigration, is palpable to every reflecting person; and that it has so operated will be equally clear to any one who will examine one of the foregoing tables, and who is acquainted some-

what with the causes of the fluctations there shown. We are informed by Mr. Kapp, that the great famine of 1816 and 1817, and the commercial panic of 1826, drove thousands over the ocean. In Germany the abortive revolutionary movement of 1830 and 1833, and the persecutions resulting therefrom, produced an unusually large emigration; in 1831 only 2,395 Germans had arrived in the United States; in 1832, 10,168; in 1833, 6,823; and in 1834 to 1837, the years of the greatest political depression, 17,654, 8,245, 20,139, 23,036, respectively. The terrible famine in Ireland in 1846, the failure of the political revolutions in Germany in 1848 and 1849, were attended with similar results. We are told by the same authority, that the numerical strength of immigration to this country is not governed by material and moral disturbances in Europe only; while bad crops, commercial and industrial crisis, and unfavorable turns in political affairs in the Old World, tend to increase immigration to this country, the appearance of the same phenomena in the United States as certainly tends to decrease it. Thus, in 1838, the total of immigration decreased to 38,914, while in the previous year it had amounted to 79,340, and in 1839 and 1840 it increased again to 68,069 and 84,066, respectively. The reason of this extraordinary decrease was the great financial crisis of 1837, which threatened the whole industrial and agricultural life of the United States. Again, the influx of aliens into New York was smaller in 1858 and 1859 than in any previous year since 1842, for the only reason that the commercial crisis of 1857 had frightened those who wanted to make a living by the labor of their hands. Thus, the total emigration from the United Kingdom, which, in 1857, had reached the number of 213,415, in 1858 fell off to 113,972, and in 1859 to 120,431. In 1858 and 1859 only 78,589 and 79,322 emigrants, respectively, arrived in New York, while in 1856 the number amounted to 142,342, and in 1857 to 186,733. In 1860 it rose to 105,-162; but, in consequence of the breaking out of the civil war, it fell again in 1861 to 65,539, and in 1862 to 76,306. In 1867 the German immigration into New York increased over that of 1867 by more than 10,000, in which last mentioned year it had already reached the large number of 106,716. Its ranks were swelled in 1867, in consequence of the emigration of men liable to military service from the new provinces annexed to Prussia in 1866, and of families dissatisfied with the new order of things. Hanover contributed the largest share to this kind of emigration. In 1868 and 1869 the tide subsided again, as people began to become reconciled to the sudden change."

Fortunately, none of these obstructions to immigration exist in Kentucky. War is happily gone; peace reigns within our borders; there is a wide-spread respect for law and order, marred by only rare, exceptional violations, such as are incident to the imperfections of human nature; we possess every material element essential to most generous harvests, save only the labor which immigration will furnish; we have good lands in great abundance, which can be obtained on easy terms and at cheap prices; the mineral resources, said to be lying in the bowels of the State in lavish prodigality, are as yet untouched; our taxes are low, with a bright prospect for still further reduction; and in a short period the Commonwealth will have paid her debts and have a handsome surplus remaining. And over and above all, we have republican liberty, under a republican form of Government, and that conservative adherence to principle and economical administration which insures its preservation.

There can be no doubt of the immense capital value of immigration. Mr. Kapp estimates that the average amount of money brought by each immigrant is $100; the average of personal property, including tools, clothing, jewelry, and the like, $50; hence, each immigrant brings $150. The total arrivals at New York in 1869 were 258,989 immigrants, hence there was added to the national wealth in one year, through that port alone, nearly $38,848,350. Large as this sum appears, it is insignificant in comparison with the hundreds of millions of dollars which have been, and will be, produced yearly by the labor of immigrants. Mr. Kapp declares that the average annual conomic value of each immigrant to the country of his adoption is $1,125. The number that arrived at the port of New York from May 5th, 1847, to January 1st, 1870, is not less than 4,297,980. Adding to the capital value of $1,125, represented by every emigrant, $150 a head for the average value of personal property brought, as I have shown, by each, we find that immigration increased the national wealth, in the stated period, by more than five billions of dollars, or more than twice as much as the present amount of the national debt. The total immigration into the United States being now at the rate of 300,000 souls per year, the country gains nearly four hundred millions of dollars annually, or more than one million per day.

Mr. Charles Remulin, a prominent political economist, in a very able address made before the German Pioneer Association of Cincinnati in 1869, estimates the value of each immigrant, who had come

to that city to live, at $1,500 a year, and the total value of the fifty thousand emigrants who have taken up their residence there in the last forty years at *seventy-five millions of dollars*.

Mr. L. Schade, of Washington City, has shown, "that if it had been the policy of the Government to exclude all aliens from our shores, the growth of the population would represent simply the excess of births over deaths. In 1790 the population of the United States, exclusive of slaves, was 3,231,930. In the census returns for 1850 we find that, among the white and free colored population, the number of births was 548,835, and the number of deaths 271,890. The excess of the former over the latter—276,945—represented the increase of population for 1850. The whole population of whites and free colored persons in 1850 was 19,987,573. This increase, therefore, was at the rate of 1.38 per cent. I cannot find in the small addition of the census for 1860 the number of births; but in 1860 the per centage of increase is nearly, if not precisely, the same as in 1850—the total increase of population from 1840 to 1850 being 35.87, and from 1850 to 1860 35.59 per cent. That this estimate of 1.38, as the yearly rate of increase of the population without immigration, cannot possibly be an understatement, appears evident when we compare it with the per centage of the yearly increase of the population of other countries. In England the rate was only 1.25; in France, 0.44; in Russia, 0.74; in Prussia, 1.17; in Holland, 1.23; in Belgium, 0.61; in Portugal, 0.72, and Saxony, 1,08. This increase of 1.38, added each year to the aggregate of the preceding year, down to 1865, would give us the population of the United States, as it would have been if the policy of excluding immigration had been followed. The whole white and free colored population in the year 1790 having been 3,231,930, it would have amounted, if increased only by the excess of births over deaths:

In 1800 to 3,706,674; while in fact it was, exclusive of slaves	4,412,896
In 1810 to 4,251,143; while in fact it was, exclusive of slaves	6,048,450
In 1820 to 4,875,600; while in fact it was, exclusive of slaves	8,100,066
In 1830 to 5,591,775; while in fact it was, exclusive of slaves	10,796,077
In 1840 to 6,413,161; while in fact it was, exclusive of slaves	14,582,008
In 1850 to 7,335,423; while in fact it was, exclusive of slaves	19,987,563
In 1860 to 8,435,882; while in fact it was, exclusive of slaves	27,489,662
In 1865 to 9,034,245; while in fact it was about	30,000,000

Deducting 9,034,245 from 30,000,000, the remainder, or 20,965,755, represents the population of foreign extraction gained by the United States since 1790. If the influx of aliens had been stopped in that year the population in 1865 would have been very nearly what it was

in 1825. *Immigration, therefore, has enabled this country to anticipate its natural growth some forty years.* The increase of wealth in every branch of national activity has been, too, in the exact ratio of the increase of population. Official statistics show, indeed, that the augmentation of imports, exports, tonnage, and revenues, has been most rapid during the periods of the largest immigration. The following tables give ample proof of this fact:

YEAR.	IMPORTS.	EXPORTS.	TONNAGE.	REVENUES.
1800	$91,252,768	$70,971,780	972,492	$12,451,184
1810	85,400,000	66,757,974	1,424,783	12,144,206
1820	74,450,000	69,691,699	1,280,166	20,881,493
1830	70,876,920	73,819,508	1,191,776	24,844,116
1840	131,571,950	104,805,891	2,180,764	25,032,193
1850	178,136,318	151,898,720	3,535,454	47,649,388
1860	362,168,941	400,122,293	5,353,868	76,752,034

The number of immigrants between 1819 and 1829 was	128,502
The number of immigrants between 1830 and 1839 was	538,381
The number of immigrants between 1839 and 1849 was	1,427,337
The number of immigrants between 1849 and December 31, 1860, was	2,968,194
Total in 41¼ years	5,062,414

Your committee have thus endeavored to show that it is not only appropriate, but in the last degree essential, for Kentucky to give assistance to immigration; that, having passed through a bloody war, which struck down the institution of slavery and demoralized the habits of the freedmen, her industrial system has been paralyzed; that to restore her material prosperity she must resort to immigration, which they believe to be practicable, as shown by the vast numbers, of many nations, that have immigrated to all parts of this country; that the freedmen are flocking to the cities and towns, to the great detriment of agriculture; that the soil and climate of Kentucky present strong inducements to the alien to make her the land of his adoption. The profound interest we feel, and which we trust the Senate will feel, in this great question, is the only apology we offer for the length of this report. Mr. Campbell does not indorse any portion of this report that criticises the past or present policy of the party in power.

ALFRED T. POPE, *Chairman.*

FRANKFORT, KY., January 20, 1872.

By Mr. Haggard, from the Committee on Propositions and Grievances—

9. A bill to change the boundary line of Carroll and Gallatin counties.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, the 1st, 2d, 3d, 4th, 5th, 6th, and 7th were ordered to be engrossed and read a third time; the 8th, with the accompanying report, was ordered to be printed, and made the special order of the day for Wednesday, the 24th inst., and the 9th was made the special order of the day for Tuesday, the 23d inst.

The constitutional provision as to the third reading of the 1st, 2d, 3d, 4th, 5th, 6th, and 7th of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A message in writing was received from the Governor by Mr. Botts, Assistant Secretary of State.

Said message was taken up and read as follows, viz:

STATE OF KENTUCKY, EXECUTIVE DEPARTMENT,
FRANKFORT, January 20th, 1872.

Gentlemen of the Senate:

I hereby nominate for your advice and consent the following persons as suitable to be commissioned as notaries public, viz:

G. Detweiler, Jefferson county.
R. E. Cross, Jefferson county.
W. H. Saunders, Jefferson county.
Joseph C. Revill, Owen county.
Elijah Arnold, Owen county.
Charles W. Stone, Woodford county.
A. C. Campbell, Boyd county.
John T. Irvin, Marshall county.
G. R. Latimer, Marion county.
Robert B. Fisk, Kenton county, State at large.
C. D. Chenault, Madison county.
William A. Stone, Madison county.
John J. Thornberry, Jefferson county.
David W Gowdy, Taylor county.
W. R. Letcher, Madison county.
Thomas C. Timberlake, Jefferson county.
Charles G. Wallace, Kenton county.
Charles D. Foote, Kenton county, State at large.

Respectfully,

P. H. LESLIE.

Resolved, That the Senate advise and consent to said appointments.

Mr. Barlow, from the Committee on Claims, reported a bill, entitled

A bill for the benefit of B. F. Ryal, jailer of Cumberland county.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

Said bill was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor be directed to draw his warrant upon the Treasurer for one hundred and two dollars and seventy-five cents in favor of B. F. Ryal, to be paid out of any money in the Treasury not otherwise appropriated, for keeping a pauper lunatic named Martha Tobin.

§ 2. This act shall take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	J. H. Dorman,	J. B. Haydon,
E. P. Campbell,	William P. Duvall,	G. A. C. Holt,
James B. Casey,	W. McKee Fox,	Wm. Johnson,
W. H. Chelf,	W. W. Frazer,	A. L. Martin,
J. Q. Chenoweth,	John J. Gatewood,	O. D. McManama,
James F. Clay,	Jesse C. Gilbert,	Alfred T. Pope,
Wm. L. Conklin,	D. R. Haggard,	K. F. Prichard,
John E. Cooper,	H. S. Hale,	W. L. Vories—26.
F. W. Darby,	Edwin Hawes,	

In the negative—none.

Resolved, That the title of said bill be as aforesaid.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Chelf, from the Committee on Revised Statutes and Codes of Practice—

1. An act to authorize the trustees of Louisa to lease portions of the public grade belonging to said town.

By same—

2. An act to repeal an act, entitled "An act to amend sections 1 and 3, chapter 47, Revised Statutes."

By Mr. Campbell, from the Committee on Revised Statutes and Codes of Practice—

3. An act to amend chapter 105, Revised Statutes (weight of coal).

By Mr. Conklin, from the Committee on Revised Statutes and Codes of Practice—

4. An act to amend an act for the benefit of the police judge of the town of Hawesville, Hancock county," approved February 10th, 1871.

By Mr. Barlow, from the Committee on Claims—

5. An act for the benefit of Monroe T. Shellburn, of Ballard county.

By Mr. Conklin, from the Committee on Finance—

6. An act for the benefit of James D. Hatchitt, of Henderson county.

By Mr. Haggard, from the Committee on Propositions and Grievances—

7. An act to prevent the destruction of fish by fish-nets in Cumberland river, within the limits of Trigg county.

By Mr. Cooper, from the Committee on Propositions and Grievances—

8. An act for the benefit of Thos. Hunt, of Pike county.

By Mr. Pope, from the Committee on Banks and Insurance—

9. An act to amend the charter of the Bank of America, of the city of Louisville.

Ordered, That the 2d of said bills be printed, and made the special order of the day for Tuesday, the 23d inst.; that the 3d be printed, and referred to the Committee on Propositions and Grievances, and that the 1st, 4th, 5th, 6th, 7th, 8th, and 9th be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Campbell read and laid on the table a joint resolution.

Leave was given to bring in the following bills, viz:

On motion of Mr. Dorman—

1. A bill authorizing the trustees of the Baptist Church of Lick Creek, in Gallatin county, to sell and convey certain land belonging to said church.

On motion of Mr. Frazer—

2. A bill to amend the common school laws of this Commonwealth.

On motion of Mr. Pope—

3. A bill to incorporate the Kentucky Protective Association.

On motion of same—

4. A bill to incorporate the Falls City Levee and Bridge Company.

On motion of same—

5. A bill to amend sections one and six of the charter of the Institution for the Education of the Blind.

On motion of same—

6. A bill amending an act, entitled "An act to amend section 47, Criminal Code of Practice," approved January, 1871.

On motion of Mr. Hargis—

7. A bill, entitled "An act to amend section 11, article 1, chapter 47, Revised Statutes."

On motion of Mr. Gatewood—

8. A bill to amend the charter of the Warren Deposit Bank.

On motion of Mr. Fox—

9. A bill to repeal the 4th and 5th sections of chapter 65, of Revised Statutes.

On motion of Mr. Chelf—

10. A bill to repeal all laws heretofore passed declaring Russell's creek, in Green county, a navigable stream.

Ordered, That the Committee on the Judiciary prepare and bring in the 1st, 4th, 6th, and 7th; the Committee on Education the 2d; the Committee on Banks and Insurance the 3d and 8th; the Committee on Charitable Institutions the 5th, and the Committee on Revised Statutes and Codes of Practice the 9th and 10th.

And then the Senate adjourned.

MONDAY, JANUARY 22, 1872.

In the absence of the Speaker, on motion, Mr. Wm. Johnson was unanimously elected Speaker *pro tem.*

A message was received from the House of Representatives, announcing that they had concurred in a resolution, which originated in the Senate, entitled

Resolution in relation to the election of State Printer, Public Binder, and State Librarian.

That they had passed bills and a resolution of the following titles, viz:

1. An act to amend the charter of the Owensboro and Russellville Railroad.

2. An act to amend an act, entitled "An act revising the charter of the city of Paducah.

3. An act for the benefit of the executors of James P. Mitchell, deceased.

4. An act for the benefit of the Pine Knob Turnpike Company.

5. Resolution providing for an examination of the charitable institutions of the State.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 3d to the Committee on Courts of Justice; the 4th to the Committee on Internal Improvement; the 5th to the Committee on Charitable Institutions, and the 1st and 2d were ordered to be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A message in writing was received from the Governor by Mr. Botts, Assistant Secretary of State.

Said message was taken up and read as follows, viz:

Gentlemen of the Senate and House of Representatives:

I respectfully call your attention to certain defects in the revenue laws of the State in providing for the collection of taxes on land.

Our present laws, I think, discriminate unduly in favor of the land-owner, giving an indulgence, and often securing impunity, to delinquent tax-payers of this class, alike unjust to other tax-paying citizens and injurious to the public interests.

The Auditor's report for 1871, which has been laid before you, shows that "there are now due the Commonwealth taxes from persons returned delinquent $119,343 02, and $199,001 07 on lands forfeited for taxes—making the aggregate $318,354 09;" "nearly all of which," he adds, "would, doubtless, have been collected and paid into the Treasury years ago, but for the fact that sheriffs have no power to sell real estate for taxes due on it."

The official exhibit from which this statement is made goes back only to the year 1862. But whilst I have no accurate information as to the delinquent lists previous to that time, I am satisfied that the amount of uncollected revenue now due the State, on the assessments of the last twenty years, is not less than one million dollars, and the Auditor's books show that the delinquency is constantly increasing.

The deficit in the collection of our assessed taxes is due almost solely to our exceptional revenue laws, under which sheriffs and other collectors of revenue, whilst they are *required* to levy upon and sell for taxes any personal property of the citizen, not exempting even the last bed of the poor widow, *are not permitted* to levy upon and sell lands. The wealthy non-resident, the grasping corporation, or the unscrupulous speculator, may own large tracts of land, and neglecting to pay the taxes assessed on them (often, indeed, they escape assessment altogether), and having no personal property in the State, they cannot be coerced to payment, under our existing laws, for six years; and when at last the lands are declared to be forfeited, and brought regularly to sale, they being made redeemable within a given time, rarely can a purchaser be found; and thus the public revenue is defrauded; *and this, too, by due course of law.*

Our present system of collecting delinquent taxes has necessitated the establishment of a distinct department in the Auditor's office, requiring the services of a first-class clerk to keep the accounts between the State and delinquent tax-payers; and in subjecting forfeited lands to sale other agencies must be employed.

I know of no other State whose laws discriminate so unequally between real and personal estate in their liability for non-payment

of taxes; and I recommend that our laws on this subject be so amended as to authorize and *require* collectors of the public revenue to levy upon and sell land for the payment of taxes, when the delinquent has no accessible personal property, allowing a reasonable time for its redemption, and adding as penalty to the purchase price a larger per centage than is now required.

Authority should also be given to revenue officers to list and tax lands of non-residents and others, who have neglected to list the lands owned by them, large quantities of which are now not assessed; and it would be well, perhaps, in such cases, to add a moderate per centage to the usual tax, as a penalty for negligence.

Under such revenue laws, thus amended, the State would be able at the end of each year to close up its accounts with all who are able to pay their taxes; the care and interest of redeeming forfeited lands would be transferred from the State to the purchaser and owner; the public expenses would be considerably retrenched; the revenue of the Commonwealth would be largely increased; and the reform thus introduced would tend to lighten the necessary burthens of taxation.

I desire also to call your attention to some items of public expenditures which require additional legislation. The public buildings not supplying sufficient accommodation for the State offices, several of them have, of necessity, been located in private tenements; and this must continue to be the case until the completion of the new edifice now being erected on the Capital grounds. The rents for the rooms thus occupied as public officers have been paid, as is just and proper, by the State. As, however, not a dollar ought to be drawn from the Treasury but by authority of law, and as there is at present no express legislative provision as to some of them, I recommend that an act be passed authorizing the payment of these rents by the State until suitable accommodations shall be provided for her officers in public buildings.

In chapter 78, article 2, section 3, of the Revised Statutes, it is implied that the public offices should be supplied with water at the expense of the State. This has accordingly been done, though not explicitly authorized by the statute; and as water, especially hydrant water, is unfit for use in warm weather without ice, accounts for that article have also been allowed and paid, without, however, any express provision of law. If it is your pleasure that these sup-

plies be allowed (as I believe they should be), I recommend that you so amend the statute as to expressly include them.

I also recommend that the statute (chapter 16 of Revised Statutes) be so amended as more precisely to define what is comprehended under the term "stationery." By specifying, as far as practicable, the articles to be furnished under this name, you would relieve of much embarrassment the officer whose duty it is to issue stationery, and guard against prodigality in this item of public expenditure.

I have called your attention to these matters in accordance with that maxim which should be rigidly adhered to by all administrators of government—that no warrant should be drawn upon the Treasury without a statute clearly and satisfactorily authorizing it; and that all avoidable license in the doubtful construction of laws should be guarded against.

P. H. LESLIE.

Ordered, That said message be printed, and that so much thereof as relates to the finances of the State be referred to the Committee on Finance, and that so much thereof as refers to public offices be referred to the Committee on Library and Public Buildings and Offices.

The following bills were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. J. W. Johnson, from the Committee on Education—

A bill for the benefit of the common school districts in Cumberland county.

By Mr. Wm. Johnson, from the Committee on the Judiciary—

A bill authorizing the trustees of the Baptist Church of Lick creek, in Gallatin county, to sell and convey certain land belonging to said church.

By Mr. Chelf, from the Committee on Revised Statutes and Codes of Practice—

A bill in relation to the Bardstown and Green River Turnpike Road Company.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Conklin, from the Committee on Finance, reported a bill, entitled

A bill to amend the charter of the Bank of Kentucky.

Which bill was read the first time and ordered to be read a second time.

Said bill was read a second time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the president and directors of the Bank of Kentucky be, and they are hereby, authorized and empowered to purchase from the Commissioners of the Sinking Fund the stock of said bank owned by the State, and the Commissioners of the Sinking Fund be, and are hereby, authorized to sell on such terms as may be agreed on with said Commissioners.

§ 2. That the said president and directors of said bank may cancel the stock so purchased, and may, at their pleasure, reissue the same in such amounts and on such terms as they may deem proper.

§ 3. That from and after the purchase of the stock, as in this act authorized, the right of the State of Kentucky to appoint or retain directors in said bank shall cease; but the number of directors thereof shall remain nine, as now provided by law, all to be elected by the stockholders of the bank.

§ 4. That the said president and directors of said bank may continue to establish and withdraw its branches as to them may seem desirable, and increase the capital stock of the bank, but not to exceed three millions of dollars, and may use so much of the capital stock in the city of Louisville as they deem is for the interest of the stockholders; that said bank shall, annually, on the first day of January, pay into the Treasury, to go into revenue proper, a tax of fifty cents on each share of one hundred dollars of its increased capital stock, which shall be in full of all tax or bonds on such increased capital stock.

§ 5. That the charter of the Bank of Kentucky be, and the same is hereby, extended twenty-five years.

§ 6. The president, directors, and company of said bank shall have all the rights, privileges, and franchises granted to other banks of Kentucky.

§ 7. The directors of the bank may appoint a vice president thereof, whose powers, duties, and term of service shall be regulated by the by-laws of said bank.

§ 8. This act shall take effect from its passage.

Mr. Martin then moved to amend said bill as follows, viz:

Amend 1st section by adding the words: *Provided*, Said sale shall not be made at less than one hundred and twelve dollars per share for each share of stock.

Which was rejected.

Mr. Martin also moved to amend said bill as follows, viz:

Amend 4th section by striking out the words "revenue proper," and insert in lieu thereof the words "common school fund."

Which was rejected.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Holt and Conklin, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	Wm. P. Duvall,	John W. Johnson,
James B. Casey,	W. W. Frazer,	Wm. Johnson,
W. H. Chelf,	John J. Gatewood,	A. L. Martin,
J. Q. Chenoweth,	Jesse C. Gilbert,	Alfred T. Pope,
James F. Clay,	D. R. Haggard,	K. F. Prichard,
Harrison Cockrill,	H. S. Hale,	W. L. Vories,
Wm. L. Conklin,	Thomas F. Hargis,	Ben. J. Webb—23.
F. W. Darby,	J. B. Haydon,	

Those who voted in the negative, were—

E. P. Campbell,	Edwin Hawes,	O. D. McManama—5.
John E. Cooper,	G. A. C. Holt,	

Resolved, That the title of said bill be as aforesaid.

Mr. Chelf, from the Committee on Revised Statutes and Codes of Practice, reported a bill, entitled

A bill to mark and define the boundary line between the counties of Muhlenburg and McLean.

Which bill was read the first time and ordered to be read a second time.

Said bill was read a second time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That C. F. Robertson and W. P. Nichols, of the county of Muhlenburg, and Benjamin Plain and Thomas Ferguson, of the county of McLean, be and they are hereby, appointed commissioners, whose duty it shall be to employ a competent surveyor, two chain-carriers, and a marker, who, after being first duly sworn by a justice of the peace, shall proceed to survey, mark, and define the line dividing the counties of Muhlenburg and McLean, according to the act creating and establishing the county of McLean, approved January 28th, 1854, except that the commissioners aforesaid shall run said dividing line from the mouth of the Thoroughfare branch up said branch, so far as the same can be traced; thence up the channel of the Thoroughfare to the mouth of Big creek, instead of up the

Thoroughfare branch, as provided in said act establishing said county of McLean.

§ 2. The surveyor shall make out two plats of the survey, with courses and distances, and return one to the county court of Muhlenburg county, and one to the county court of McLean county.

§ 3. It shall be the duty of the county court of Muhlenburg county, and also of McLean county, to have said survey and commissioners' report recorded in the county clerk's office of their respective counties, which, when recorded, shall establish the lines between said counties.

§ 4. The parties making the survey shall be allowed a fair compensation for their services during the time they are engaged, one half of which sum, when certified by said commissioners, shall be paid by the county of Muhlenburg, and one half by the county of McLean; and said commissioners shall each be paid a fair compensation for their services, to be paid by their respective counties; and said commissioners shall proceed, some time during the month of July or August, 1872, to discharge the duties herein imposed and specified.

§ 5. That so much of the act, entitled "An act to establish the county of McLean," approved January 28th, 1854, as conflicts with the provisions of this act, be, and the same is hereby, repealed.

§ 6. This act shall take effect from its passage.

Mr. J. W. Johnson then moved to amend said bill as follows, viz:

Amend section one by striking out the name "C. F. Robertson," and all thereafter to the word "McLean," inclusive, in the 4th line, and insert in lieu thereof "G. W. Triplett, county judge of Daviess county, and A. J. Sisk, county judge of Hopkins county," and strike out of same section all after January 28th, 1854, and insert "so far as the same can be traced, thence the nearest line to the mouth of Big creek. In the event of any disagreement on the part of said commissioners, they shall call in a third party as umpire."

And the question being taken on the adoption of said amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. J. W. Johnson and Campbell, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	D. R. Haggard,	William Johnson,
James F. Clay,	Edwin Hawes,	K. F. Prichard,
W. W. Frazer,	John W. Johnson,	W. L. Vories—9.

Those who voted in the negative, were—

Robert Boyd,	J. Q. Chenoweth,	H. S. Hale,
E. P. Campbell,	Wm. L. Conklin,	J. B. Haydon,
James B. Casey,	John J. Gatewood,	Alfred T. Pope,
W. H. Chelf,	Jesse C. Gilbert,	Ben. J. Webb—12.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Haggard, from the Committee on Propositions and Grievances—

An act to change the boundary line of the city of Columbus.

By Mr. Gilbert, from the Committee on Courts of Justice—

An act to regulate further the drawing of standing jurors for the Jefferson circuit court.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Haydon moved that the Committee on Library and Public Buildings and Offices do now report a bill in their hands, which originated in the House of Representatives, entitled

An act to repeal an act authorizing the Auditor of Public Accounts to pay the Public Binder thirty-three per cent. upon former rates.

Mr. Haggard then moved to amend the motion made by Mr. Haydon as follows, viz:

That the committee be requested to report said bill to-morrow at twenty minutes past ten o'clock, A. M.

Which amendment was accepted by Mr. Haydon.

Mr. Cooper then moved to postpone the further consideration of the amendment until Wednesday, the 24th inst., at 10 o'clock, A. M.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Boyd and Prichard, were as follows, viz:

Those who voted in the affirmative, were—

James B. Casey,	Wm. P. Duvall,	Thomas F. Hargis,
J. Q. Chenoweth,	W. W. Frazer,	A. L. Martin,
G. W. Connor,	Jesse C. Gilbert,	O. D. McManama—10.
John E. Cooper,		

Those who voted in the negative, were—

John S. Barlow,	F. W. Darby,	John W. Johnson,
Robert Boyd,	John J. Gatewood,	William Johnson,
E. P. Campbell,	D. R. Haggard,	Alfred T. Pope,
W. H. Chelf,	H. S. Hale,	K. F. Prichard,
James F. Clay,	Edwin Hawes,	W. L. Vories,
Harrison Cockrill,	J. B. Haydon,	Ben. J. Webb—20.
Wm. L. Conklin,	G. A. C. Holt,	

The question was then taken on the adoption of the motion made by Mr. Haydon, as amended, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Hawes and Conklin, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	Wm. L. Conklin,	G. A. C. Holt,
Robert Boyd,	F. W. Darby,	John W. Johnson,
E. P. Campbell,	D. R. Haggard,	Wm. Johnson,
James B. Casey,	H. S. Hale,	Alfred T. Pope,
W. H. Chelf,	Edwin Hawes,	K. F. Prichard,
Harrison Cockrill,	J. B. Haydon,	Ben. J. Webb—18.

Those who voted in the negative, were—

James F. Clay,	W. W. Frazer,	Thomas F. Hargis,
G. W. Connor,	John J. Gatewood,	O. D. McManama,
John E. Cooper,	Jesse C. Gilbert,	W. L. Vories—10.
William P. Duvall,		

The Senate took up for consideration a joint resolution offered by Mr. Campbell on the 20th inst., which reads as follows, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Auditor of Public Accounts be, and he is hereby, requested and instructed to furnish to this General Assembly a statement in gross of the receipts and disbursements of the Treasury from 1863 to 1872, showing balances to the credit of the revenue at the end of each fiscal year within that period, and the comparative expense of administering the government of the State from year to year.

Mr. Prichard then moved to amend said resolution as follows, viz:

Strike out 1863, and insert in lieu thereof 1860.

Which was adopted.

Mr. Martin then moved to amend said resolution as follows, viz:

Add to the resolution the following: And that he be further requested to report how much of the authenticated claim of the State of Kentucky against the General Government is withheld by the decision of the Secretary of the Treasury in relation to said claim.

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Martin and Prichard, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	John E. Cooper,	J. B. Haydon,
Robert Boyd,	F. W. Darby,	John W. Johnson,
James B. Casey,	W. W. Frazer,	William Johnson,
W. H. Chelf,	John J. Gatewood,	A. L. Martin,
J. Q. Chenoweth,	Jesse C. Gilbert,	Alfred T. Pope,
James F. Clay,	D. R. Haggard,	K. F. Prichard,
Harrison Cockrill,	H. S. Hale,	W. L. Vories,
Wm. L. Conklin,	Thomas F. Hargis,	Ben. J. Webb—25.
G. W. Connor,		

Those who voted in the negative, were—

E. P. Campbell, Edwin Hawes, G. A. C. Holt—3.

Mr. Pope then moved to amend said resolution by adding thereto the following, viz:

And if there was any material decrease of the aggregate value of the assessed property of the Commonwealth from 1862 to 1866, to inform the General Assembly of the cause thereof.

And the question being taken thereon, it was decided in the affirmative.

Mr. Hargis then moved to amend said resolution by adding thereto the following, viz:

That the Auditor report the rate of taxation each year from and inclusive of the year 1860 to 1872.

And the question being taken thereon, it was decided in the affirmative.

The question was then taken on the adoption of said resolution, as amended, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Hawes and Hargis, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	John E. Cooper,	J. B. Haydon,
Robert Boyd,	F. W. Darby,	G. A. C. Holt,
E. P. Campbell,	W. W. Frazer,	John W. Johnson,
James B. Casey,	John J. Gatewood,	Wm. Johnson,
W. H. Chelf,	Jesse C. Gilbert,	A. L. Martin,
J. Q. Chenoweth,	D. R. Haggard,	Alfred T. Pope,
James F. Clay,	H. S. Hale,	K. F. Prichard,
Harrison Cockrill,	Thomas F. Hargis,	W. L. Vories,
Wm. L. Conklin,	Edwin Hawes,	Ben. J. Webb—28.
G. W. Connor,		

In the negative—none.

Mr. Chenoweth then moved to reconsider the vote by which said resolution, as amended, was adopted.

Mr. Conklin then moved to lay the motion on the table.

And the question being taken thereon, it was decided in the affirmative.

The following remonstrance and petitions were presented, viz:

By Mr. Campbell—

1. A remonstrance of the board of councilmen and citizens of Hopkinsville, against an act to amend the charter of the city of Hopkinsville.

By Mr. Duvall—

2. A petition to change the voting place in Lytle's Fork precinct, in Scott county.

By Mr. Holt—

3. The petition of sundry circuit court clerks of this Commonwealth, in relation to an increase of their fees.

Which remonstrance and petitions were received, the reading dispensed with, and referred—the 1st to the Committee on the Judiciary; the 2d to the Committee on Privileges and Elections, and the 3d to the Committee on Finance.

Leave was given to bring in the following bills, viz:

On motion of Mr. Vories—

1. A bill to incorporate the Pewee Valley Cemetery Company.

On motion of Mr. Cockrill—

2. A bill for the benefit of Andrew Ranney, of Estill county.

On motion of same—

3. A bill for the benefit of Darius Harris, of Estill county.

On motion of Mr. Clay—

4. A bill to provide for the vote to be taken by ballot for members of Congress in this Commonwealth.

On motion of same—

5. A bill to provide for a general registry of the voters of this Commonwealth.

On motion of Mr. Hargis—

6. A bill for the benefit of Harrison Berry, of Nicholas county.

On motion of Mr. Darby—

7. A bill to authorize courts of this Commonwealth to require certain sale and orders of warning to be advertised in newspapers.

On motion of Mr. Pope—

8. A bill to amend an act, entitled "An act authorizing the sale of real estate and slaves in which there is a future contingent interest," approved August 23d, 1862.

On motion of Mr. Gilbert—

9. A bill to incorporate the Western Kentucky and Paris Railroad Company.

On motion of same—

10. A bill to establish and regulate police courts in Briensburg and Calvert City, in Marshall county.

Ordered, That the Committee on Agriculture and Manufactures prepare and bring in the 1st; the Committee on Finance the 2d and 6th; the Committee on the Judiciary the 3d, 4th, 5th, and 8th; the Committee on Courts of Justice the 7th; the Committee on Railroads the 9th, and a select committee, composed of Messrs. Gilbert, Hale, and Holt, be requested to prepare and bring in the 10th.

Mr. Casey, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act for the security of persons furnishing labor or materials in the construction or repairs of railroads, turnpike, and gravel roads;

An act to amend an act, approved February 10th, 1866, entitled "An act to exempt homesteads from sale for debt;"

An act to amend section 6, article 6, chapter 32, title "Elections," of the Revised Statutes;

An act to amend chapter 28 of the Revised Statutes, title "Crimes and Punishments;"

An act to amend section 4 of article 2, of chapter 83, of the Revised Statutes, regulating tax on theatrical performances;

And enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend the charter of the town of Winchester;

An act to enable the county of Madison to subscribe to, and provide means for, an institution of learning in Richmond;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Casey reported that the committee had performed that duty.

And then the Senate adjourned.

TUESDAY, JANUARY 23, 1872.

A message was also received from the House of Representatives, announcing that they had passed bills, which originated in the Senate, of the following titles, viz:

An act to amend an act, entitled "An act to provide for the organization and regulation of incorporated companies, except banking, insurance, and railroad companies," approved March 15th, 1871,

An act to amend an act, entitled "An act authorizing the sale of real estate and slaves in which there is a future contingent interest," approved August 23d, 1862.

An act authorizing the county court of Nicholas county to purchase any interest, right, or franchise in and to turnpike roads in said county.

An act requiring A. W. Blair, late sheriff of Nicholas county, to settle and pay over all public money in his hands.

An act for the benefit of Isabella Oxley, of Rowan county.

An act authorizing the clerk of the Nelson county court to make a cross-index to deeds in his office, and transcribe the marriage registers in said office.

An act to regulate the sale of spirituous and vinous liquors in Uniontown and Caseyville.

That they had passed bills of the following titles, viz:

1. An act to amend an act, entitled "An act to amend chapter 48 of the Revised Statutes, title "Idiots and Lunatics."

2. An act to amend the charter of the Louisville and Nashville Railroad Company.

3. An act to amend an act, entitled "An act to incorporate the Lexington City Passenger Railroad Company," approved February 24th, 1870.

4. An act to amend an act, entitled "An act to incorporate the Louisville, Memphis, and New Orleans Railway Company," approved February 24th, 1870, and also to amend an act amending the same, approved March 23d, 1871.

5. An act to legalize certain acts of James W. Staton, late road commissioner of Bracken county for the years 1868, 1869, and 1870.

6. An act to authorize the Graves county court to sell the old clerks' offices.

7. An act to amend the town charter of Lebanon.

8. An act to repeal an act, entitled "An act for the benefit of D. C. Smith, of Barren county," approved January 30th, 1866.

9. An act to prohibit and punish certain trespasses in Muhlenburg county.

10. An act to provide for appointing an assistant county attorney for the county of Kenton.

11. An act for the benefit of all persons owning land binding on that part of Mann's Lick road, alias Saratoga street, alias Pope street, between Broadway, in the city of Louisville, and its intersection with Rothwell street.

12. An act to incorporate the Lexington Building and Accumulating Fund Association.

13. An act to increase the jurisdiction of the police judge of Woodville, in McCracken and Ballard counties.

14. An act enabling H. B. Elrod and Jane Elrod to adopt John W. Elrod as their heir-at-law.

15. An act to amend the law in regard to crimes and punishments.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st, 5th, 9th, 12th, and 13th to the Committee on Revised Statutes and Codes of Practice; the 2d, 3d, and 4th to the Committee on Railroads; the 6th to the Committee on Courts of Justice, and the 7th, 8th, 10th, 11th, 14th, and 15th to the Committee on the Judiciary.

The Speaker laid before the Senate a communication from the Board of Trade of Louisville, which was taken up and read as follows, viz:

OFFICE LOUISVILLE TOBACCO BOARD OF TRADE,
LOUISVILLE, January 19, 1872.

Mr. JNO. G. CARLISLE, *Speaker of Senate:*

DEAR SIR: In answer to the action of the Legislature calling upon the Tobacco Board of Trade for an expression of opinion in regard to the State tobacco law, we beg to ask your attention to the annexed copy of the proceedings of our meeting this day. We deem it proper to add, that this action was one of the most perfect and entire unanimity on the part of all the warehousemen and buyers. The manifest propriety of such an interest as the leaf tobacco trade of Louisville regulating its own affairs, and being on the same footing as other

Kentucky tobacco markets, is too plain for argument. Your efforts to effect a speedy repeal of the present tobacco law (excepting the clause exempting from auction dues) are respectfully solicited, and will be highly appreciated by the entire tobacco trade.

Very respectfully,

P. MEGUIAR, *President.*

M. B. NASH, *Secretary.*

ABOLITION OF TOBACCO INSPECTION.

At a meeting of the Tobacco Board of Trade, held January 19, 1872, the following address to the Legislature was unanimously adopted, and Secretary instructed to forward copies to the Speaker of the Senate and Speaker of the House of Representatives:

To the Legislature of Kentucky:

At a meeting of the members of the Louisville Tobacco Board of Trade, held at their rooms the 19th inst., the undersigned, its officers, were requested, in response to the resolution which passed your honorable body on the 17th inst., asking for an expression of opinion regarding the existing tobacco law, to say, that we regard the tobacco trade as of far too much importance to this city and to the tobacco-growing counties, and both warehouse proprietors and buyers of tobacco have too much capital at stake, to be jeopardized by the agitation for repeal or amendment that comes up every winter in the Legislature. In our opinion the only remedy is the repeal of all laws regulating the sale and inspection of tobacco in Louisville, so that this article may be sold by our warehousemen as commission merchants, as all other products of the soil are. We would also respectfully suggest that this repeal should include everything except that clause which exempts all tobacco sold in Louisville from auction dues. These dues go to the support of the Louisville Marine Hospital, and there would be manifest injustice in taxing the farmers to support an institution from which they could derive no possible benefit whatever.

P. MEGUIAR,

President Tobacco Board of Trade.

M. B. NASH, *Secretary.*

Ordered, That said communication be printed, and referred to the Committee on Agriculture and Manufactures.

The Speaker also laid before the Senate the report of the Keeper of the Kentucky Penitentiary, which was taken up and read.

[*For Report—see Legislative Document No.* 15.]

Ordered, That one thousand copies of said report be printed, and that the same be referred to the Committee on Penitentiary and House of Reform.

Mr. Martin presented the report of the commissioners appointed to superintend the improvement of Big Sandy river.

Which was taken up and read as follows, viz:

To the Honorable Senate and House of Representatives of the General Assembly of the Commonwealth of Kentucky:

The undersigned, Commissioners appointed by an act of the Legislature, approved February 10th, 1870, styled "An act to improve the Big Sandy river," appropriating the sum of ($75,000) seventy-five thousand dollars for said purpose, would respectfully report:

That, in pursuance to the instruction of said act, we have expended, and issued vouchers and duplicates, delivered to the several contractors, including Commissioners' pay for services, to the amount of $72,759 88. The original vouchers, specifying the contractor, the work done, and the contract price, have been filed with the Auditor of Public Accounts. The account is as follows:

Amount appropriated		$75,000 00
Amount issued for work	$72,759 88	
Amount awarded (act 1871) to Mratin and others, commissioners	400 00	
		73,159 88
		$1,840 12

Leaving a balance of one thousand eight hundred and forty dollars and twelve cents ($1,840 12); out of this sum will be to pay the expenses of a water-line survey, which is under contract and partially performed, but will not be completed, probably, before next summer. So far as the unexpended sum will admit, other improvements is contemplated by your Commissioners during the low water next summer. We have, by the expenditure of the sum stated, been able to remove the principal obstructions that endangered the navigation of the Sandy river, and by the improvement of the shoals have enabled the boats to carry a much greater burthen, and to navigate for a longer time during the year. We refer you to our former

report, also the vouchers filed with the Auditor, for particular items. Such has been our progress, which we respectfully report.

WM. J. MAY,
N. HOWERTON,
JAY H NORTHUP,
GEORGE N. BROWN,
Commissioners.

JANUARY 21, 1872.

Ordered, That two hundred copies of said report be printed, and that the same be referred to the Committee on Internal Improvement.

Mr. McAfee presented the petition of Moreau Brown, president of the Kentucky River Navigation Company, praying that said company be released from payment of rent until August, 1874.

Which petition was received, the reading dispensed with, and referred to the Committee on Internal Improvement.

A message in writing was received from the Governor by Mr. Botts, Assistant Secretary of State.

Said message was taken up and read as follows, viz:

STATE OF KENTUCKY, EXECUTIVE DEPARTMENT,
FRANKFORT, January 23d, 1872.

Gentlemen of the Senate:

The term for which M. J. Durham, G. F. Lee, and A. S. McGrorty, of Boyle county, and Hon. Wm. Johnson, of Nelson county, were appointed members of the Board of Commissioners of the Kentucky Asylum at Danville for the Tuition of the Deaf and Dumb, having expired, I nominate for your advice and consent each of those gentlemen as fit and proper to be reappointed members of said Board.

Respectfully,
P. H. LESLIE.

Resolved, That the Senate advise and consent to said appointments.

A message was also received from the Governor by Mr. Botts, Assistant Secretary of State, announcing that the Governor had approved and signed an enrolled resolution, which originated in the Senate, of the following title, viz:

Resolution in relation to the election of State Printer, Public Binder, and State Librarian.

Mr. Martin, from the Committee on Library and Public Buildings and Offices, to whom had been referred a bill, which originated in the House of Representatives, entitled

An act to repeal an act authorizing the Auditor of Public Accounts to pay the Public Binder thirty-three per cent. upon former rates,

Reported the same, without any expression of opinion.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That so much of an act, entitled "An act to authorize the Auditor of Public Accounts to contract with the Public Binder for the binding of the public books," approved January 26th, 1865, to pay said Public Binder thirty-three per cent. advance on former rates, be, and the same is hereby, repealed.

§ 2. This act to take effect from and after the first day of August next.

Mr. Martin then moved to amend said bill by substituting in lieu thereof the following, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the law now regulating the compensation of Public Binder be so amended that he shall have and be paid twenty per cent. advance on all work done by him for the State in lieu of the thirty-three and a third per cent. now allowed on work by law. All acts in conflict herewith are hereby repealed.

§ 2. This act to have force and effect from its passage.

Pending the consideration of which amendment, Mr. Darby moved to recommit the bill and proposed amendment to the Committee on Library and Public Buildings and Offices, with instructions to report the same to-morrow at half past ten o'clock, A. M.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Boyd and Connor, were as follows, viz:

Those who voted in the affirmative, were—

James F. Clay,	Wm. P. Duvall,	A. L. Martin,
G. W. Connor,	W. McKee Fox,	A. L. McAfee,
John E. Cooper,	John J. Gatewood,	Thos. Wrightson—11.
F. W. Darby,	Jesse C. Gilbert,	

Those who voted in the negative, were—

John S. Barlow,	Wm. L. Conklin,	Wm. Johnson,
Robert Boyd,	J. H. Dorman,	O. D. McManama,
R. A. Burton,	W. W. Frazer,	Alfred T. Pope,
E. P. Campbell,	D. R. Haggard,	K. F. Prichard,
James B. Casey,	H. S. Hale,	E. D. Standeford,
W. H. Chelf,	Edwin Hawes,	W. L. Vories,
J. Q. Chenoweth,	J. B. Haydon,	Ben. J. Webb—23.
Harrison Cockrill,	G. A. C. Holt,	

The question was then taken on the adoption of the amendment proposed by Mr. Martin, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Boyd and Campbell, were as follows, viz:

Those who voted in the affirmative, were—

R. A. Burton,	W. McKee Fox,	A. L. Martin,
James B. Casey,	W. W. Frazer,	O. D. McManama,
W. H. Chelf,	John J. Gatewood,	Alfred T. Pope,
J. Q. Chenoweth,	Jesse C. Gilbert,	K. F. Prichard,
Harrison Cockrill,	D. R. Haggard,	E. D. Standeford,
G. W. Connor,	G. A. C. Holt,	W. L. Vories,
John E. Cooper,	John W. Johnson,	Ben. J. Webb,
F. W. Darby,	William Johnson,	Thos. Wrightson—25.
Wm. P. Duvall,		

Those who voted in the negative, were—

John S. Barlow,	Wm. L. Conklin,	Edwin Hawes,
Robert Boyd,	J. H. Dorman,	J. B. Haydon,
E. P. Campbell,	H. S. Hale,	A. L. McAfee—10.
James F. Clay,		

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was then taken on the passage of said bill, as amended, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Hawes and Campbell, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	F. W. Darby,	John W. Johnson,
Robert Boyd,	J. H. Dorman,	Wm. Johnson,
R. A. Burton,	William P. Duvall,	A. L. Martin,
James B. Casey,	W. W. Frazer,	Alfred T. Pope,
W. H. Chelf,	John J. Gatewood,	K. F. Prichard,
J. Q. Chenoweth,	Jesse C. Gilbert,	E. D. Standeford,
Harrison Cockrill,	D. R. Haggard,	W. L. Vories,
G. W. Connor,	J. B. Haydon,	Ben. J. Webb,
John E. Cooper,	G. A. C. Holt,	Thos. Wrightson—27.

Those who voted in the negative, were—

E. P. Campbell,	H. S. Hale,	A. L. McAfee,
James F. Clay,	Edwin Hawes,	O. D. McManama—7.
Wm. L. Conklin,		

Resolved, That said bill do pass, and that the title thereof be amended to read,

An act in regard to Public Binder and his compensation.

The Senate, according to order, took up for consideration a bill, which originated in the House of Representatives, entitled

An act to repeal an act, entitled "An act to amend section 1, article 3, chapter 47, Revised Statutes."

On motion of Mr. Pope,

Ordered, That the further consideration of said bill be postponed until to-morrow.

The Senate, according to order, took up for consideration a bill, entitled

A bill to amend an act, entitled "An act to incorporate the Frankfort, Paris, and Big Sandy Railroad Company."

Ordered, That said bill be engrossed and read a third time.

Said bill was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That whenever said Frankfort, Paris, and Big Sandy Railroad Company shall request the county judge of any county, through or adjacent to which it is proposed to construct said road, to subscribe, either absolutely or upon specified conditions, a specified amount to the capital stock of said company, the county judge so requested shall forthwith order an election to be held at the several voting places in said county, on a day to be fixed by the judge, not later than thirty days nor earlier than twenty days after the making of said order, and shall appoint judges and other officers necessary to hold said election: *Provided*, That if a majority of the votes cast at said election shall be adverse to the proposed subscription, then the cost of said election shall be paid by said railroad company: *Provided, further*, That not more than one election shall be held under this act, nor that to which it is amendatory, in any city, town, county, or precinct, without further legislation: *Provided, further*, That no election shall be held in any county wherein said company have operatives engaged in the actual construction of their road, without the consent of the county court of such county.

§ 2. The appointment of officers to conduct said election, the holding thereof, and whatever pertains thereto, including the counting of the vote and making the subscription in accordance therewith, shall be made and done as provided in the act to which this is amendatory.

§ 3. Whenever the subscription of a city, town, county, or precinct, to the capital stock of said company, shall be payable in the bonds of said city, town, county, or precinct, it shall be the duty of the mayor of such city, the chairman of the board of trustees of such town, or the presiding judge of such county, as the case may be, to issue and deliver to said company the bonds of said city, town, county, or precinct, of the character and to the amount required by the terms of the subscription in payment of which they are issued. Said bonds shall be signed by said mayor, chairman of board of trustees, or presiding judge, and be countersigned by the clerk of the common council of the said city, board of trustees, or county court,

as the case may be; and in case coupons are attached, the same shall be signed only by said clerk. The provisions of this section shall apply to the case of any city, town, or county which may have already voted a subscription to the capital stock of said company.

§ 4. This act shall take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Hawes and Wm. Johnson, were as follows, viz:

Those who voted in the affirmative, were—

Robert Boyd,	John E. Cooper,	J. B. Haydon,
E. P. Campbell,	F. W. Darby,	John W. Johnson,
James B. Casey,	Wm. P. Duvall,	Alfred T. Pope,
W. H. Chelf,	W. McKee Fox,	K. F. Prichard,
James F. Clay,	John J. Gatewood,	E. D. Standeford,
Harrison Cockrill,	D. R. Haggard,	Ben. J. Webb,
Wm. L. Conklin,	H. S. Hale,	Thos. Wrightson—21.

Those who voted in the negative, were—

John S. Barlow,	W. W. Frazer,	Wm. Johnson,
R. A. Burton,	Jesse C. Gilbert,	A. L. McAfee,
J. Q. Chenoweth,	Edwin Hawes,	O. D. McManama,
G. W. Connor,	G. A. C. Holt,	W. L. Vories—13.
J. H. Dorman,		

Resolved, That the title of said bill be as aforesaid.

The Senate, according to order, took up for consideration a bill, entitled

A bill to change the boundary line of Carroll and Gallatin counties.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Pope, from the Committee on the Judiciary, reported a bill, entitled

A bill to amend an act, entitled "An act authorizing the sale of real estate and slaves in which there is a future contingent interest," approved August 23d, 1862.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Conklin read and laid on the table the following joint resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the election of the public officers be postponed until the 27th inst.

Mr. Conklin then moved to dispense with the rule requiring a joint resolution to lie one day on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Martin and Frazer, were as follows, viz:

Those who voted in the affirmative, were—

Robert Boyd,	J. H. Dorman,	William Johnson,
W. H. Chelf,	Jesse C. Gilbert,	O. D. McManama,
James F. Clay,	H. S. Hale,	Alfred T. Pope,
Harrison Cockrill,	Edwin Hawes,	W. L. Vories,
Wm. L. Conklin,	J. B. Haydon,	Ben. J. Webb.
G. W. Connor,	G. A. C. Holt,	Thos. Wrightson—19.
F. W. Darby,		

Those who voted in the negative, were—

John S. Barlow,	William P. Duvall,	John W. Johnson,
R. A. Burton,	W. McKee Fox,	A. L. Martin,
E. P. Campbell,	W. W. Frazer,	A. L. McAfee,
James B. Casey,	John J. Gatewood,	K. F. Prichard,
J. Q. Chenoweth,	D. R. Haggard,	E. D. Standeford—16.
John E. Cooper,		

Mr. Fox read and laid on the table a joint resolution.

The Speaker announced that the hour had now arrived for the execution of the joint order of the day, the election of certain public officers.

After an interchange of messages between the two Houses in relation to their readiness now to proceed to the execution of said joint order,

The Speaker announced that nominations for the office of State Printer were now in order.

Whereupon Mr. Wm. Johnson nominated S. I. M. Major, of the city of Frankfort, as a suitable person to fill said office.

Mr. Boyd nominated Samuel R. Smith, of the city of Frankfort, for said office.

Messrs. Chenoweth and Prichard were appointed a committee to inform the House of Representatives of the names of those gentlemen who had been placed in nomination in the Senate for the office of State Printer.

A message was received from the House of Representatives, announcing that the same gentlemen had been placed in nomination in the House of Representatives for the same office.

The Senate then proceeded to take a ballot, which stood thus:

Those who voted for Mr. Major, were—

John S. Barlow,	J. H. Dorman,	John W. Johnson,
R. A. Burton,	W. McKee Fox,	Wm. Johnson,
James B. Casey,	W. W. Frazer,	A. L. Martin,
W. H. Chelf,	John J. Gatewood,	A. L. McAfee,
J. Q. Chenoweth,	Jesse C. Gilbert,	Alfred T. Pope,
James F. Clay,	D. R. Haggard,	K. F. Prichard,
Harrison Cockrill,	H. S. Hale,	E. D. Standeford,
Wm. L. Conklin,	Edwin Hawes,	W. L. Vories,
John E. Cooper,	J. B. Haydon,	Ben. J. Webb—29.
F. W. Darby,	G. A. C. Holt,	

Those who voted for Mr. Smith, were—

Robert Boyd,	E. P. Campbell,	Thos. Wrightson—3.

Messrs. Chenoweth and Prichard were appointed a committee, to act in conjunction with a similar committee appointed on the part of the House of Representatives, to compare the joint vote of the two Houses for the office of State Printer, and report the same to the Senate.

After a short time, the committee reported that the joint vote of the two Houses stood thus:

In the Senate, for S. I. M. Major,	29
In the House of Representatives, for S. I. M. Major,	76
Total,	105
In the Senate, for S. R. Smith,	3
In the House of Representatives, for S. R. Smith,	13
Total,	16

Necessary to a choice, 61.

The Speaker then announced that Mr. S. I. M. Major, of the city of Frankfort, having received a majority of all the votes cast, was

duly elected State Printer for the Commonwealth of Kentucky for two years from and after the first Monday in August, 1872.

Messrs. Connor, Duvall, and McManama being absent at the time the vote was taken, asked the privilege of recording their votes.

Which was granted.

Each one of whom then voted for Mr. S. I. M. Major.

The Speaker then announced that nominations were in order for the office of Public Binder.

Mr. Burton nominated Mr. A. C. Vallandingham, of the county of Simpson, as a suitable person to fill said office.

Mr. Boyd nominated Mr. L. P. Tarlton, of Fayette county, for the same office.

Messrs. Burton and Boyd were appointed a committee to inform the House of Representatives of the names of those gentlemen who had been placed in nomination in the Senate for the office of Public Binder.

A messsage was received from the House of Representatives, announcing that the same gentlemen had been placed in nomination in the House of Representatives for the same office.

The Senate then proceeded to take a ballot, which stood thus:

Those who voted for Mr. Vallandingham, were—

John S. Barlow,	J. H. Dorman,	John W. Johnson,
R. A. Burton,	William P. Duvall,	William Johnson,
James B. Casey,	W. McKee Fox,	A. L. Martin,
W. H. Chelf,	W. W. Frazer,	A. L. McAfee,
J. Q. Chenoweth,	John J. Gatewood,	O. D. McManama,
James F. Clay,	Jesse C. Gilbert,	Alfred T. Pope,
Harrison Cockrill,	D. R. Haggard,	K. F. Prichard,
Wm. L. Conklin,	H. S. Hale,	E. D. Standeford,
G. W. Connor,	Edwin Hawes,	W. L. Vories,
John E. Cooper,	J. B. Haydon,	Ben. J. Webb—32.
F. W. Darby,	G. A. C. Holt,	

Those who voted for Mr. Tarlton, were—

Robert Boyd,	E. P. Campbell,	Thos. Wrightson—3.

Messrs. Burton and Boyd were appointed a committee, to act in conjunction with a similar committee on the part of the House of Representatives, to compare the joint vote of the two Houses for the office of Public Binder, and report the same to the Senate.

After a short time, the committee reported that the joint vote of the two Houses stood thus:

In Senate, for A. C. Vallandingham,	32
In House of Representatives, for A. C. Vallandingham,	75
Total,	107
In Senate, for L. P. Tarlton,	3
In House of Representatives, for L. P. Tarlton,	14
Total,	17

Necessary to a choice, 63.

The Speaker then announced that A. C. Vallandingham, having received a majority of all the votes cast, was duly elected Public Binder for the State of Kentucky for two years from and after the 1st day of August, 1872.

The Speaker then announced that nominations for the office of State Librarian were now in order.

Mr. Duvall then nominated Gen. George B. Crittenden, of Franklin county, as a suitable person to fill said office.

Mr. Boyd nominated Mr. W. H. Sneed, of Frankfort, for said office.

Messrs. Duvall and Boyd were appointed a committee to inform the House of Representatives of the names of those gentlemen who had been placed in nomination in the Senate for the office of State Librarian.

A message was received from the House of Representatives, announcing that the same gentlemen had been placed in nomination in the House of Representatives for the same office.

The Senate then proceeded to take a ballot, which stood thus:

Those who voted for Mr. Crittenden, were—

John S. Barlow,	J. H. Dorman,	John W. Johnson,
R. A. Burton,	William P. Duvall,	William Johnson,
James B. Casey,	W. McKee Fox,	A. L. Martin,
W. H. Chelf,	W. W. Frazer,	A. L. McAfee,
J. Q. Chenoweth,	John J. Gatewood,	O. D. McManama,
James F. Clay,	D. R. Haggard,	Alfred T. Pope,
Harrison Cockrill,	H. S. Hale,	K. F. Prichard,
Wm L. Conklin,	Edwin Hawes,	E. D. Standeford,
G. W. Connor,	J. B. Haydon,	W. L. Vories,
John E. Cooper,	G. A. C. Holt,	Ben. J. Webb—31.
F. W. Darby,		

Those who voted for Mr. Sneed, were—

Robert Boyd,	E. P. Campbell,	Thos. Wrightson—3.

Messrs. Duvall and Boyd were appointed a committee, to act in conjunction with a similar committee appointed on the part of the House of Representatives, to compare the joint vote of the two Houses for the office of State Librarian, and report the same to the Senate.

After a short time, the committee reported that the joint vote of the two Houses stood thus:

In Senate, for George B. Crittenden, - - - - - - -	31
In House of Representatives, for George B. Crittenden, - -	75
Total, - - - - - - - - - - - -	106
In Senate, for W. H. Sneed, - - - - - - - - -	3
In House of Representatives, for W. H. Sneed, - - - -	14
Total, - - - - - - - - - - -	17

Necessary to a choice, 62.

The Speaker then announced that General George B. Crittenden, of Franklin county, having received a majority of all the votes cast, was duly elected State Librarian for two years from this date.

Mr. Casey, from the Committee on Enrollments, reported that the committee had examined an enrolled resolution, which originated in the Senate, of the following title, viz:

Resolution in relation to the election of State Printer, Public Binder, and State Librarian;

And enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend an act for the benefit of the police judge of the town of Hawesville, Hancock county," approved February 10th, 1871;

An act to amend the charter of the Owensboro and Russellville Railroad;

An act to prevent the destruction of fish by fish-nets in Cumberland river, within the limits of Trigg county;

An act for the benefit of Thos. Hunt, of Pike county;

An act to authorize the trustees of Louisa to lease portions of the public grade belonging to said town;

An act for the benefit of Monroe T. Shellburn, of Ballard county;

An act for the benefit of James D. Hatchitt, of Henderson county;

An act to amend the charter of the Bank of America, of the city of Louisville;

An act to amend an act, entitled "An act revising the charter of the city of Paducah;"

And had found the same truly enrolled.

Said resolution and bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Casey reported that the committee had performed that duty.

Leave was given to bring in the following bills, viz:

On motion of Mr. Gatewood—

1. A bill to charter the Bowling Green and Scottville Railroad Company.

On motion of Mr. Pope—

2. A bill to exempt the Kentucky Farmers' Mutual Insurance Company from certain provisions of the general insurance law.

On motion of Mr. Dorman—

3. A bill to incorporate the Eagle Creek, Dallasburg, and Bethel Turnpike Road Company.

Ordered, That the Committee on Railroads prepare and bring in the 1st; the committee on Banks and Insurance the 2d, and the Committee on Internal Improvement the 3d.

And then the Senate adjourned.

WEDNESDAY, JANUARY 24, 1872.

A message was received from the House of Representatives, announcing that they had passed bills, which originated in the Senate, of the following titles, viz:

An act to amend an act, entitled "An act to establish a colored school in the city of Henderson."

An act to authorize the Auditor of Public Accounts to audit and settle certain claims of sheriffs of this Commonwealth for conveying convicts to the Penitentiary of this State.

That they had passed bills of the following titles, viz:

1. An act to prohibit the granting of license to retail spirituous, vinous, or malt liquors in the county of Christian.

2. An act to incorporate the trustees of the Presbyterian Church of Augusta.

3. An act to prohibit the sale of ardent spirits in Breathitt and Powell counties.

4. An act prohibiting the vending of ardent, malt, or vinous spirits in the second magisterial district in Mercer county.

5. An act to prohibit the sale of vinous, spirituous, or malt liquors in Nelson county.

6. An act to prohibit the sale of intoxicating liquors in Benson district, in Franklin county.

7. An act for the benefit of John Goodin, commissioner of common schools for Josh Bell county.

8. An act to organize and establish a system of public schools in the town of Madisonville, county of Hopkins.

9. An act for the benefit of the common school commissioner of Breckinridge county.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st, 2d, 3d, 4th, 5th, and 6th to the Committee on Religion and Morals, and the 7th, 8th, 9th and 10th to the Committee on Education.

Mr. Barlow presented the petition of sundry citizens of Edmonton, praying the passage of an act preventing the sale of spirituous liquors within one mile of the court-house in said town.

Which was received, the reading dispensed with, and referred to the Committee on Religion and Morals.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Standeford, from the Committee on Internal Improvement—

1. An act to amend an act for the benefit of Boone county, approved January 30, 1871.

By same—

2. An act for the benefit of the Pine Knob Turnpike Company.

By Mr. Chelf, from the Committee on Revised Statutes and Codes of Practice—

3. An act to amend section 2, article 13, chapter 36, of the Revised Statutes.

By Mr. John W. Johnson, from the Committee on Religion and Morals—

4. An act authorizing the sale of lands belonging to St. Teresa's Catholic Church, in Meade county.

By same—

5. An act to repeal an act, entitled "An act to prohibit the sale of ardent spirits in Breathitt county," approved February 7th, 1868.

By Mr. Gilbert, from the Committee on Courts of Justice—

6. An act to authorize the Graves county court to sell the old clerks' offices.

By Mr. Webb, from the Committee on Agriculture and Manufactures—

7. An act to prevent the destruction of fish in the stream of Bank Lick, in Kenton county.

By Mr. John W. Johnson, from the Committee on Religion and Morals—

8. An act to repeal an act to prohibit the sale of spirituous, malt, or vinous liquors in Campbellsville.

With amendments to the last two named bills.

Which were adopted.

Ordered, That said bills, the last two as amended, be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid, except the 8th, and that the title of that be amended to read,

An act to amend an act, entitled "An act to prohibit the sale of spirituous, vinous, or malt liquors in the town of Campbellsville," approved March 21st, 1871.

The Senate, according to order, took up for consideration a bill, which originated in the House of Representatives, entitled

An act to repeal an act, entitled "An act to amend section 1, article 3, chapter 47, Revised Statutes."

Said bill reads as follows, viz:

[*For bill—see Session Acts present session.*]

Mr. Gilbert then moved to postpone the further consideration of said bill until Friday next.

And the question being taken thereon, it was decided in the negative.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Haggard and McManama, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	F. W. Darby,	Wm. Johnson,
Robert Boyd,	J. H. Dorman,	A. L. McAfee,
R. A. Burton,	John J. Gatewood,	Alfred T. Pope,
E. P. Campbell,	D. R. Haggard,	E. D. Standeford,
W. H. Chelf,	Edwin Hawes,	Ben. J. Webb,
Wm. L. Conklin,	John W. Johnson,	Thos. Wrightson—18.

Those who voted in the negative, were—

James B. Casey,	William P. Duvall,	G. A. C. Holt,
J. Q. Chenoweth,	W. McKee Fox,	A. L. Martin,
James F. Clay,	W. W. Frazer,	O. D. McManama,
Harrison Cockrill,	Jesse C. Gilbert,	K. F. Prichard,
John E. Cooper,	J. B. Haydon,	W. L. Vories—15.

Resolved, That the title of said bill be as aforesaid.

Mr. Clay, from the Committee on the Judiciary, asked to be discharged from the further consideration of the petition of sundry per-

sons of color, in Mason county, praying the passage of an act for their benefit.

Which was granted.

The following bills were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Chelf, from the Committee on Revised Statutes and Codes of Practice—

A bill to incorporate the Benevolent Society in the City of Paducah.

By Mr. Webb, from the Committee on Agriculture and Manufactures—

A bill to incorporate the Pewee Valley Cemetery Company.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The Senate then took up for consideration the motion heretofore made by Mr. Chenoweth to reconsider the vote by which the Senate had passed, with an amendment, a bill, which originated in the House of Representatives, entitled

An act to amend an act incorporating the Public Library of Kentucky.

Mr. Chenoweth then moved to postpone the further consideration of said motion until Thursday, February 1st, 1872.

Which motion was adopted.

The Senate, according to order, took up for consideration a bill, entitled

A bill to establish a Bureau of Immigration.

Ordered, That the further consideration of said bill be postponed until Wednesday, January 31st.

The Senate took up for consideration the resolution heretofore offered by Mr. Fox, entitled

Resolution in relation to the removal of the Capital.

Ordered, That the further consideration of said resolution be postponed until Friday, January 26th.

On motion of Mr. Gatewood, a message was sent to the House of Representatives, asking leave to withdraw the announcement of their passage of a bill, which originated in the Senate, entitled

An act to amend the charter of the town of Bowling Green.

After a short time, said bill was handed in at the Clerk's desk.

Said bill was then taken up.

The question was then taken on reconsidering the vote by which said bill was passed, and it was decided in the affirmative.

On motion,

Ordered, That said bill be referred to the Committee on Education.

Mr. Casey, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act to amend an act, entitled "An act to provide for the organization and regulation of incorporated companies, except banking, insurance, and railroad companies," approved March 15th, 1871;

An act to amend an act, entitled "An act authorizing the sale of real estate and slaves in which there is a future contingent interest," approved August 23d, 1862;

An act authorizing the county court of Nicholas county to purchase any interest, right, or franchise in and to turnpike roads in said county;

An act requiring A. W. Blair, late sheriff of Nicholas county, to settle and pay over all public money in his hands;

An act for the benefit of Isabella Oxley, of Rowan county;

An act authorizing the clerk of the Nelson county court to make a cross-index to deeds in his office, and transcribe the marriage registers in said office;

An act to regulate the sale of spirituous and vinous liquors in Uniontown and Caseyville;

And enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to regulate further the drawing of standing jurors for the Jefferson circuit court;

An act to change the boundary line of the city of Columbus;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Casey reported that the committee had performed that duty.

Leave was given to bring in the following bills, viz:

On motion of Mr. Wm. Johnson—

1. A bill making an appropriation to Nelson county for keeping pauper lunatics.

On motion of Mr. McManama—

2. A bill to repeal an act, entitled "An act to incorporate the town of Walton, in Boone county," approved February 18th, 1870.

On motion of Mr. Cooper—

3. A bill to prohibit the sale of spirituous liquors by retail in the county of Owsley.

On motion of Mr. Wrightson—

4. A bill to incorporate the James Taylor & Son's Bank of Newport, Ky.

Ordered, That the Committee on claims prepare and bring in the 1st; that a select committee, composed of Messrs. McAfee, Casey, and Clay, be requested to prepare and bring in the 2d; the Committee on Religion and Morals the 3d, and the Committee on Banks and Insurance the 4th.

And then the Senate adjourned.

THURSDAY, JANUARY 25, 1872.

Mr. Chenoweth presented the petition of the citizens of Bridgeport, in Franklin county, praying the passage of a law to prohibit the sale of spirituous liquors by retail in that precinct.

Which was received, the reading dispensed with, and referred to the Committee on Religion and Morals.

Mr. Casey, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act to amend an act, entitled "An act to establish a colored school in the city of Henderson;"

An act to authorize the Auditor of Public Accounts to audit and settle certain claims of sheriffs of this Commonwealth for conveying convicts to the Penitentiary of this State;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Casey reported that the committee had performed that duty.

The Senate, according to order, took up for consideration a bill, which originated in the House of Representatives, entitled

An act to authorize the trustees of the Cincinnati Southern Railway to acquire the right of way, and to extend a line of railway through certain counties in this Commonwealth.

Said bill reads as follows, viz:

WHEREAS, It is represented to this General Assembly that Miles Greenwood, Richard M. Bishop, William Hooper, Philip Heidelbach, and Edward A. Ferguson, of the city of Cincinnati, in the State of Ohio, were appointed, under and by virtue of an act of the General Assembly of the said State of Ohio, passed on the fourth day of May, in the year eighteen hundred and sixty-nine, a Board of Trustees, with authority to borrow a fund not to exceed ten millions of dollars, and to issue bonds therefor in the name of said city of Cincinnati, under the corporate seal thereof, of which said fund the said Miles Greenwood, Richard M. Bishop, William Hooper, Philip Heidelbach, and Edward A. Ferguson, and their successors, are to be trustees, with power to expend the same in procuring the right to construct, and in constructing, a single or double-track railway, with all the usual appendages, including a line of telegraph, between the said city of Cincinnati and the city of Chattanooga, in the State of Tennessee, to be called and known as the Cincinnati Southern Railway; and with power and capacity for the purposes aforesaid to make contracts, appoint, employ, and pay officers and agents, and to acquire, hold, and possess all the necessary real and personal property and franchises, either in the said State of Ohio or in any other State in which the said line of railway may extend, and with other powers in said act expressed; and whereas, the said line of railway cannot be constructed, nor the powers of the said Board of Trustees be exercised within the Commonwealth of Kentucky, without the consent of the General Assembly thereof. The General Assembly reserves the right to change, alter, or modify this act, and to regu-

late, by general laws, the rates of charges for the transportation of freights and passengers on said railway; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the said Board of Trustees, namely: Miles Greenwood, Richard M. Bishop, William Hooper, Philip Heidelbach, and Edward A. Ferguson, and their successors, by the name of the Trustees of the Cincinnati Southern Railway, be, and they are hereby, authorized to extend, construct, and maintain, within the Commonwealth of Kentucky, the said line of railway, with a single or double track, with all the usual appendages, including a line of telegraph, and to exercise the powers vested in them under and by virtue of said act of the General Assembly of the State of Ohio, subject to the provisions and restrictions in this act provided.

§ 2. For the purpose of examining and surveying routes for the said line of railway, the said trustees may, subject to liability for the actual damage done, enter upon any land in the counties of Josh Bell, Knox, Whitley, Laurel, Clay, Owsley, Jackson, Estill. Madison, Clark, Bourbon, Harrison, Pendleton, Campbell, Kenton, Boone, Gallatin, Grant, Owen, Scott, Franklin, Anderson, Woodford, Fayette, Jessamine, Mercer, Garrard, Boyle, Lincoln, Rockcastle, Casey, Pulaski, Russell, Wayne, Clinton, Cumberland, Monroe, Metcalfe, and Adair, and select from the routes so examined and surveyed a route for the same, commencing at a point to be selected by the said trustees where the said line of railway will cross the southern boundary of this Commonwealth, and running through either of said counties to the northern boundary line thereof, and across the Ohio river, so as to connect with the same line of railway in the State of Ohio. A copy of the survey and location of such route, and any alteration therein, shall be filed in the county clerk's office of the counties through which the said railway runs, within one year after such location or alteration.

§ 3. For the purpose of constructing and maintaining said line of railway and its appendages, the said trustees may acquire, by purchase or gift, so much land as may be necessary to construct, complete, and operate their railway and its appendages; and it shall be lawful for them to apply to any circuit or county court, of any county through which it may be proposed said railway may pass, and for said court to appoint a competent engineer, and two disinterested commissioners, to examine the proposed route of said railway, and to take from the proprietors of land over which it is to pass a grant of the right of way, of such width as may be desired, provided the same shall not exceed one hundred feet, and which may include the right to take stone, timber, earth, or gravel for the construction of their road; and they, jointly and severally, shall have the power and authority to take and certify, under their hands and seals, the acknowledgment of such grants in fee or right of way, and the separate acknowledgment of married women, that the clerks of the several county courts have; and on the presentation of the grant and acknowledgment to the clerk of the county court where the land lies, it shall be the duty of the clerk to record the same as other deeds; and they shall be effectual against all persons accord-

ing to their tenor: *Provided*, That where the parties are infants, or absent, or refuse to make the grant, they shall hear any proof that may be adduced, and upon their own view proceed to value any land required for the right of way, or lands required for turn-outs or depot stations, or other appendages of said road, and also of earth, stone, gravel, or timber for the construction of said road, and report the value they have fixed, together with the evidence adduced, to the court appointing them, with a map or profile of the required ground; and said report shall be filed with the clerk of such court, and a summons issued to the proprietors to show cause against the confirmation of the report; but if the proprietor shall be out of the Commonwealth, the summons may be executed upon a known agent, if there be one in the county; and if there be no known agent in the county, then the court may order the appearance of the party at a named day, and appoint the clerk to give the proprietor notice by letter; and in case of there being infant, idiot, or lunatic proprietors, the court shall appoint *guardians ad litem* for them, and cause the guardian to appear and act for them; and in case an absent defendant does not appear, the court shall appoint an attorney of the court to act for them. It shall be lawful for the trustees or any proprietor, or both, to traverse the report, and for the court to have the traverse tried in open court by a competent jury, on which trial the report and evidence returned as aforesaid shall be heard, together with such other proof as either party may produce. A new trial to the finding of the jury may be granted as in other cases. The report shall stand for hearing, as to any proprietor, when the process has been executed ten days, or after appearance of a proprietor on a day fixed for his appearance; and the court shall have jurisdiction to confirm the report, if no traverse is filed; and in case a traverse is filed, to have the same tried by a jury, and to give judgment upon the report or finding of the jury, and order the payment of the money, and the execution of the grant in accordance with the report; and to have the grant executed by a commissioner appointed by the court, and to order them to be recorded in the county court clerk's office of the county; and either party may appeal from the judgment of the court.

§ 4. That the commissioners or jury, in estimating the value of the lands proposed to be taken, shall not be confined to the actual value, but may take into consideration any consequential damage that may result to the adjoining proprietors of the land taken, and also the advantages and disadvantages the proposed road will be to such lands.

§ 5. That upon the affidavit of the engineer of said trustees, made and filed before the county judge of any county through which the proposed road may pass, that at any point more than one hundred feet is necessary properly to construct and operate said road, said trustees may acquire the right to so much land as may be necessary for that purpose, and in the manner provided in the preceding section

§ 6. The said trustees may also, for the purpose of constructing and maintaining said line of railway, occupy or use any turnpike or

plank road, street or other public way or ground, or any part thereof, upon such terms and conditions as may be agreed upon between said trustees and the municipal or other corporations, persons, or public authorities owning or having charge thereof; and in case it shall be necessary to provide a new road, street, or other ground, in place of that so used or occupied, they may acquire the necessary land and cause the necessary improvement to be made thereon. If no agreement can be made for the right to use or occupy any road, street, or ground that may be necessary, the said trustees may take and appropriate said rights in the manner provided in the next section: *Provided*, That, before the damages are assessed, the court may fix such terms and conditions as may be deemed best for the public interest.

§ 7. The appropriations authorized in the preceding section shall be made in the manner, and subject to the same right of traverse, writ of error, and appeal, provided by law for taking private property for the use of turnpike and plank road companies, except that the petition shall be filed in the circuit court of the county in which such turnpike, plank roads, streets, or other public ways or grounds, may lie; and if a continuous portion of the same, lying in more than one county, is sought to be used or occupied, the proceedings may be instituted in the circuit court of any county in which any part of such continuous portion may lie; and the damages shall be assessed for the whole of such portion, whether lying in the county wherein the proceedings are instituted or in other counties; the writ shall be directed to the sheriff of the county in which the petition is filed.

§ 8. If, during the construction or after the completion of said line of railway, it shall be found necessary by said trustees to change the location or grade, or substitute other works or conveniences for those originally designed or constructed, or to provide additional side-tracks or other appendages for the proper management and operation of said railway, the said trustees may make such changes and provide such additional appendages, not departing from the general route originally selected by them; and, for the purpose aforesaid, may acquire or enter upon, take and appropriate, such lands or rights, as may be necessary, in the mode hereinbefore prescribed.

§ 9. Wherever, along the route selected by said trustees, there shall be a railroad already constructed, or rights of way or depot or other grounds acquired therefor, which railroad, rights of way or grounds, can be adopted as part of the said line, it shall be lawful for the persons, company, or corporations owning the same, to sell to the said trustees the said railroad, rights of way or grounds, or any part thereof, upon such terms and conditions as may be agreed upon between the said trustees and such persons, or the president and directors of such company or corporation: *Provided*, That no such agreement shall be binding upon the stockholders of any such company or corporation unless a majority in interest of said stockholders, as shown by the books of such company or corporation, shall ratify the same in person or by proxy, at a meeting to be held at the place of holding the election of directors, to be called after notice given of

the object of the meeting, in the manner provided for notice of such elections.

§ 10. No permanent bridge or other work shall be so constructed as to materially interrupt or impair the navigation of such streams as are naturally navigable, or as have been declared to be so by law.

§ 11. And whereas, under and by virtue of the above mentioned act of the General Assembly of Ohio, the said board of trustees have power to borrow a fund for the construction of said line of railway, not to exceed ten millions of dollars, and to issue bonds therefor in the name of the city of Cincinnati, under the corporate seal thereof, bearing interest at a rate not to exceed seven and three tenths per centum per annum, payable at such times and places and in such sums as shall be deemed best by said board; which bonds are to be signed by the president of said board, and attested by the city auditor of said city, who is to keep a register of the same, and are to be secured by a mortgage on the said line of railway and its net income, and by the pledge of the faith of said city and a tax, which it is made the duty by said act of the council of said city annually to levy, sufficient, with said net income, to pay the interest, and provide a sinking fund for the final redemption of said bonds. That the respective holders of all such bonds are hereby declared to be entitled to hold, by way of mortgage, without any conveyance, the said line of railway and its appendages, and the net income thereof, and all the estate, right, and title, and interest of the said city of Cincinnati, and of the said board of trustees therein, until the respective sums mentioned in said bonds, and the interest thereon, shall be fully paid, without any preference one above another, by reason of priority of date of any such bonds, or of the time when such holder became the owner of the same, or otherwise howsoever. The mortgage lien hereby given is to vest, as soon as rights of way or lands, whereon are to be placed the works and conveniences used in constructing, maintaining, or operating said railway, are acquired or taken, by virtue of the powers of the said trustees: *Provided*, That nothing herein contained shall affect the lien of any vendor upon lands sold to said trustees, nor to be held to include the rolling stock used in operating said road: *And provided further*, That any mortgage that may be made by any lessee or lessees of said line of railway, or persons or company operating it, on the rolling stock used in operating said road, shall not have precedence over, but shall be at all times inferior in priority to, judgments that may be obtained against them, in any county through which said road may run, for wages, materials, and supplies in running said road; for damages for breaches of contracts of affreightment, for injury, loss, or destruction of any property put on the cars on said road for transportation, or for any injury to persons or property occasioned in the running of said road.

§ 12. Said trustees shall survey and locate the route of said line of railway, and actually commence the construction thereof, within two years from the passage of this act; and shall continue such construction and complete the work within five years from its commencement, or within such further reasonable period, not exceeding ten years in all, as the Governor may grant upon satisfactory evi-

dence that they are progressing with due diligence and in good faith. The gauge of said railway shall be five feet.

§ 13. The charge for transportation on said railway shall not exceed thirty-five cents per hundred pounds on heavy articles, and ten cents per cubic foot on articles of measurement for every hundred miles, and four cents a mile for every passenger.

§ 14. The taxes imposed on said line of railway and its appendages shall not exceed the rate imposed on other railroads within this State.

§ 15. The said trustees may sue and be sued, contract and take and hold property, and convey and transfer the same, by the name of the "Trustees of the Cincinnati Southern Railway." Conveyances by said trustees shall be signed by not less than three of them. They shall keep an office and an agent in the city of Covington, and an agent in every county through which said railway runs, upon whom service of process may be made. Actions against them or against the lessee or lessees of said line of railway, or persons or company operating it, other than those mentioned in sections ninety-three and ninety-four of the Code of Practice in Civil Cases, may be brought in any county in which any part of said railway lies. When an action is rightly brought in any county, process may be issued to the county in which the office of the trustee is situate, and may be sent and returned by mail. And it is hereby made a condition upon which said trustees construct and maintain said railway within this Commonwealth, that they thereby waive the right to remove any case from any of the courts of this State to any of the courts of the United States, or to bring a suit in any of the courts of the United States against any citizen of this State; and a violation of this condition shall operate as a forfeiture of the rights, privileges, and immunities granted in this act.

§ 16. The persons or company operating said railway, or any part thereof, as lessee or otherwise, shall receive and carry all passengers and freight coming or brought to it or them to be carried; and they shall make no discrimination against citizens of Kentucky in carrying freight or passengers on said line of railway, or any part thereof; nor shall they make any unjust discrimination in favor of through freights or passengers against any way freights or passengers, or against freights or passengers from other railroads connecting with said railway in this State; but they shall charge and receive only the same, and no more, for the same services in transporting freight or passengers going to or coming from one connecting road, that they charge or receive upon those going to or coming from any other. They shall keep an office and agent at some point along the line within this Commonwealth, and an agent in every county therein through which said railway runs, upon whom service of process may be made; and it is hereby made a condition upon which such persons or company may lease said railway, or any part thereof, or make any arrngement for operating the same, that such persons or company thereby waive the right to remove any case from any of the courts of this State to any of the courts of the United States, or to bring a suit in any of the courts of the United States against any

citizen of this State; and a violation of such condition shall operate as a forfeiture of all rights acquired under such lease or arrangement; which forfeiture, and the other provisions of this section, this Commonwealth reserves the right to enforce by all necessary remedies and additional legislation.

§ 17. That the rights, privileges, and immunities granted by this act shall continue for, and during the period of, ninety-nine years, and not longer; and shall, during that time, be subject to be declared forfeited by any court of competent jurisdiction, by an action instituted by the direction of the General Assembly in the name of the Commonwealth, for any failure on the part of said trustees, their successors or assigns, to comply with the terms, stipulations, and obligations imposed herein for the benefit and security of this Commonwealth or the people thereof; and before entering on any lands in this State, said trustees shall accept the provisions of the act.

§ 18 The following words and expressions in this act shall have the several meanings hereby assigned to them, unless there be something in the context repugnant to such construction: that is to say, the word "lands" shall include not only lands and every estate therein, but also easements and franchises connected therewith. The word "trustees" shall mean the trustees for the time being appointed under the said act of the General Assembly of the State of Ohio, and shall include the said board of trustees and their successors. The expression "line of railway and its appendages" shall extend to and include the works and conveniences of the said railway, such as offices, stations, shops, sheds, depots, car-houses, and other buildings, bridges, viaducts, tunnels, arches, piers, abutments, embankments, approaches, ways, aqueducts, culverts, sewers, drains, wharves, yards, fences, telegraph posts and wires, tracks, turn-outs, and turn-tables, and the rights of way and lands belonging to said trustees, whereon the said and other like works and conveniencies used in constructing, maintaining, or operating said railway are placed. The expression "Act of the General Assembly of the State of Ohio" shall mean the act of the General Assembly of the State of Ohio, entitled "An act relating to the cities of the first class, having a population exceeding one hundred and fifty thousand inhabitants," passed on the 4th day of May, in the year 1869. The expression "line of railway" shall mean the line of railway between the city of Cincinnati, in the State of Ohio, and the city of Chattanooga, in the State of Tennessee.

§ 19. The General Assembly hereby reserves the right to alter, amend, or repeal this act, as provided in an act, entitled "An act reserving power to amend or repeal charters and other laws," approved February 14, 1856.

§ 20. That this act shall take effect from and after its passage.

Mr. McAfee then moved to amend the 14th section of said bill by adding thereto the following proviso:

Provided, however, That the trustees of the Cincinnati Southern Railway Company shall pay into the Treasury of this Commonwealth, semi-annually, an amount equal to fifty cents per capita for each

through passenger across the Commonwealth of Kentucky, and twenty-five cents for each passenger for one hundred miles of travel on said road within the limits of the State of Kentucky.

Mr. Holt then moved to amend the amendment proposed by Mr. McAfee by adding thereto the following, viz:

And shall also pay into the Treasury an amount equal to one cent on each one hundred pounds of through freight shipped over said road; and the said payments shall be made in the manner, and at such times as may be established by the regulations of the Auditor of Public Accounts of this State.

And the question being taken on the adoption of the amendment proposed by Mr. Holt, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Holt and Chenoweth, were as follows, viz:

Those who voted in the affirmative, were—

Robert Boyd,	J. H. Dorman,	G. A. C. Holt,
E. P. Campbell,	Wm. P. Duvall,	A. L. Martin,
James B. Casey,	W. McKee Fox,	A. L. McAfee,
J. Q. Chenoweth,	John J. Gatewood,	O. D. McManama,
G. W. Connor,	Jesse C. Gilbert,	A. G. Talbott,
John E. Cooper,	H. S. Hale,	Thos. Wrightson—18.

Those who voted in the negative, were—

John S. Barlow,	W. W. Frazer,	Alfred T. Pope,
R. A. Burton,	D. R. Haggard,	K. F. Prichard,
W. H. Chelf,	Thomas F. Hargis,	E. D. Standeford,
James F. Clay,	Edwin Hawes,	W. L. Vories,
Harrison Cockrill,	J. B. Haydon,	Ben. J. Webb,
Wm. L. Conklin,	John W. Johnson,	Emery Whitaker—20.
F. W. Darby,	Wm. Johnson,	

The question was then taken on the adoption of the amendment proposed by Mr. McAfee, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. McManama and McAfee, were as follows, viz:

Those who voted in the affirmative, were—

Robert Boyd,	J. H. Dorman,	G. A. C. Holt,
E. P. Campbell,	Wm. P. Duvall,	A. L. Martin,
James B. Casey,	W. McKee Fox,	A. L. McAfee,
J. Q. Chenoweth,	John J. Gatewood,	O. D. McManama,
Harrison Cockrill,	Jesse C. Gilbert,	A. G. Talbott,
G. W. Connor,	D. R. Haggard,	Thos. Wrightson—20.
John E. Cooper,	H. S. Hale,	

Those who voted in the negative, were—

John S. Barlow,	W. W. Frazer,	Alfred T. Pope,
R. A. Burton,	Thomas F. Hargis,	K. F. Prichard,
W. H. Chelf,	Edwin Hawes,	E. D. Standeford,

James F. Clay,	J. B. Haydon,	W. L. Vories,
Wm. L. Conklin,	John W. Johnson,	Ben. J. Webb,
F. W. Darby,	William Johnson,	Emery Whitaker—18.

Mr. Holt then moved to amend said bill by adding to the fourteenth section the following, viz:

And the said trustees shall also pay, semi-annually, into the Treasury of this Commonwealth, an amount equal to one cent on each one hundred pounds of through freight shipped over said road; and all payments due to the Treasury under this act shall be made in the manner, and at such times as may be established by the Auditor of Public Accounts of this State.

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Holt and Chenoweth, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	Wm. P. Duvall,	G. A. C. Holt,
Robert Boyd,	W. McKee Fox,	A. L. Martin,
E. P. Campbell,	John J. Gatewood,	A. L. McAfee,
James B. Casey,	Jesse C. Gilbert,	O. D. McManama,
J. Q. Chenoweth,	D. R. Haggard,	K. F. Prichard,
G. W. Connor,	H. S. Hale,	A. G. Talbott,
John E. Cooper,	Thomas F. Hargis,	Thos. Wrightson—22.
J. H. Dorman,		

Those who voted in the negative, were—

R. A. Burton,	W. W. Frazer,	Alfred T. Pope,
W. H. Chelf,	Edwin Hawes,	E. D. Standeford,
James F. Clay,	J. B. Haydon,	W. L. Vories,
Harrison Cockrill,	John W. Johnson,	Ben. J. Webb,
Wm. L. Conklin,	Wm. Johnson,	Emery Whitaker—16.
F. W. Darby,		

Mr. Holt then moved to amend the sixteenth section by adding thereto the following, viz:

Except the payment required by this act.

Which was adopted.

Mr. Haggard then moved to amend the preamble of said bill as follows, viz:

Amend line 18, preamble, after the word "expressed," and before the word "and," *Provided*, The trustees of said road shall cause to be surveyed one or more routes for said road by a competent engineer and assistant, from the city of Cincinnati, by the way of Nicholasville and Danville, to the State line in the direction of Sparta, Tennessee; thence on the most direct practicable route to Chattanooga, having due regard to grade and cost of construction. The engineers shall

lay before the board of trustees a map of the route, exhibiting the excavations, fills, bridges, grades, tunnels, &c., with approximate estimates of the cost of constructing the road from Cincinnati to the State line, thence to Chattanooga, which estimates shall show separately the cost of constructing this line and others that may be made and reported by engineers. Each line surveyed shall be reported to the citizens of Cincinnati, that they may express their preference for either route by their votes; and that the trustees shall locate the road-bed as indicated by the votes of the citizens and tax-payers of said city.

The question was then taken on the adoption of said amendment, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Haggard and Duvall, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	G. W. Connor,	D. R. Haggard,
R. A. Burton,	John E. Cooper,	H. S. Hale,
James B. Casey,	F. W. Darby,	Thomas F. Hargis,
W. H. Chelf,	J. H. Dorman,	John W. Johnson,
J. Q. Chenoweth,	William P. Duvall,	William Johnson,
James F. Clay,	W. McKee Fox,	A. L. Martin,
Harrison Cockrill,	John J. Gatewood,	Alfred T. Pope—23.
Wm. L. Conklin,	Jesse C. Gilbert,	

Those who voted in the negative, were—

Robert Boyd,	G. A. C. Holt,	W. L. Vories,
E. P. Campbell,	O. D. McManama,	Ben. J. Webb,
W. W. Frazer,	K. F. Prichard,	Emery Whitaker,
Edwin Hawes,	E. D. Standeford,	Thos. Wrightson—14.
J. B. Haydon,	A. G. Talbott,	

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill was then dispensed with, and the further consideration thereof postponed until to-morrow at 10 o'clock.

And then the Senate adjourned.

FRIDAY, JANUARY 26, 1872.

A message was received from the House of Representatives, announcing that they had concurred in the amendment proposed by the Senate to a bill, which originated in the House of Representatives, entitled

An act to protect fish in Drake's creek, in Simpson county.

That they had passed bills, which originated in the Senate, of the following titles, viz:

An act to repeal an act, entitled "An act to incorporate the Ludlow Turnpike Company."

An act to amend the charter of the town of Mayfield.

An act to incorporate the Louisville Car Wheel and Railway Supply Company.

An act to amend section 5, article 2, chapter 83, of the Revised Statutes, title "Revenue and Taxation."

An act to amend the charter of the town of Carlisle, in Nicholas county.

An act amending section 1 of an act, approved February 27th, 1860, entitled "An act to incorporate the Eminence Cemetery Company."

An act for the benefit of the Mulberry and Consolation Turnpike Road Company, in the county of Shelby.

An act to incorporate the Mississippi River Levee Company.

An act to amend the charter of the Bowling Green Water-works Company.

An act for the benefit of the common school districts in Cumberland county.

An act in relation to the Bardstown and Green River Turnpike Road Company.

An act authorizing the presiding judge of Nicholas county to make further subscriptions to the unfinished turnpike roads in said county.

An act to amend the laws of evidence in this Commonwealth.

With amendments to the last two named bills.

Which amendments were referred—the 1st to the Committee on Internal Improvement, and the 2d to the Committee on the Judiciary.

That they had passed bills of the following titles, viz :

1. An act regulating the taking of bail bonds.

2. An act for the benefit of James M. Greenwade, late sheriff of Menifee county.

3. An act to legalize the action of the Commissioners of the Sinking Fund of Marion county, in relation to the sale of Louisville and Nashville Railroad stock, and other matters pertaining thereto.

4. An act for the benefit of A. Portwood, sheriff of Anderson county.

5. An act to amend the charter of the city of Columbus, in Hickman county.

6. An act to amend an act, entitled "An act to incorporate the town of Frenchburg, in Menifee county."

7. An act to incorporate the Riverton Iron and Mining Company.

8. An act to amend the charter of the Second German Protestant Benevolent Society of Louisville.

9. An act to incorporate the town of Martinsburg, in Elliott county.

10. An act to amend the charter of the city of Paris.

11. An act to incorporate the Workman's Publishing Company.

12. An act to incorporate the East Cedar Hill Institute, in Jefferson county.

13. An act to repeal the charter of the Methodist Episcopal Church, South, of Louisville.

14. An act to amend the charter of the Cornwall Candle Factory, of Louisville.

15. An act to incorporate the German Roman Catholic St. Andrews Benevolent Society, of Louisville.

16. An act creating a lien on property for erection of gas lamp-posts in the city of Paducah.

17. An act to incorporate the trustees of the Orphanage of the Good Shepherd, in the city of Louisville.

18. An act to amend an act, entitled "An act to incorporate the town of Sonora, in Hardin county."

19. An act for the benefit of St. Joseph's Industrial School for Boys, in the city of Louisville.

20. An act to amend the charter of the town of Lawrenceburg.

21. An act to amend the charter of the city of Augusta, in Bracken county.

22. An act to incorporate the town of Boston Station, Pendleton county.

23. An act to charter the town of Kuttawa, in Lyon county.

24. An act for the benefit of Lark Howard, of Magoffin county.

25. An act to amend and reduce into one the several acts incorporating the town of Blandville, in Ballard county.

26. An act to amend an act, entitled "An act to incorporate the town of Earlington."

27. An act to repeal the charter of the Providence Mining, Manufacturing, and Shipping Company.

28. An act to amend the charter of the Madisonville and Shawneetown Straight-line Railroad Company.

29. An act to amend an act, entitled "An act to incorporate the town of Pewee Valley, in Oldham county."

30. An act to amend an act, entitled "An act to incorporate the town of Smith Grove, in Warren county."

31. An act to incorporate the town of Fulton, in Fulton county.

32. An act to amend the charter of the town of Greensburg.

33. An act to amend an act, entitled "An act to incorporate the town of Rich Pond, in Warren county."

34. An act to extend the corporate limits of the town of Paradise, in Muhlenburg county.

35. An act to amend an act revising the charter of the city of Paducah, Kentucky, approved February 11th, 1871.

36. An act to incorporate the town of Jackson.

37. An act to incorporate Independent Order of Odd Fellows, No. 83, Hickman, Fulton county.

38. An act revising the charter of the town of New Liberty, in Owen county.

39. An act to incorporate the White Oak Turnpike Road Company, in Bath county.

40. An act to incorporate the Scuffletown Fence Company.

41. An act to incorporate the Paducah and North Ballard Turnpike Road Company.

42. An act to amend the charter of the Richmond, Union Meeting-house, and Kentucky River Turnpike Road Company.

43. An act to provide for the improvement of the public roads in Butler county.

44. An act to amend the charter of the Campbell Turnpike Road Company.

45. An act to amend an act, entitled "An act to build a turnpike road in Lewis and Mason counties."

46. An act for the benefit of Benjamin Goodin, R. P. Gresham, and George W. Roberts, of Rockcastle county.

47. An act to amend the charter of the Union and Richwood Turnpike Road Company.

48. An to charter the Ludlow and Florence Turnpike Road.

49. An act to amend an act, entitled "An act to amend the charter of the Covington and Lexington Turnpike Road Company."

50. An act to amend the charter of the Independence and Big Bone Turnpike Road Company.

51. An act incorporating the Beech Fork and Simpson Creek Turnpike Road Company.

52. An act to amend the road law of Union county.

53. An act to incorporate the Cabin Creek Turnpike Road Company.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispened with, they were referred—the 1st, 8th, 9th, 10th, 11th, 13th, 15th, 17th, 25th, 26th, 35th, 36th, 37th, 38th, and 40th to the Committee on the Judiciary; the 2d and 4th to the Committee on Finance; the 3d to the Committee on Sinking Fund; the 5th, 6th, 16th, 18th, 20th, 21st, 22d, 23d, 29th, 30th, 31st, 32d, 33d, and 34th to the Committee on Revised Statutes and Codes of Practice; the 7th, 14th, and 27th to the Committee on Agriculture and Manufactures; the 12th and 19th to the Committee on Education; the 24th, 39th, 41st, 42d, 43d, 44th, 45th, 47th, 48th, 49th, 50th, 51st, 52d, and 53d to the Committee on Internal Improvement, and the 28th and 46th to the Committee on Railroads.

The Senate, according to order, took up for consideration a bill, which originated in the House of Representatives, entitled

An act to authorize the trustees of the Cincinnati Southern Railway to acquire the right of way, and to extend a line of railway through certain counties in this Commonwealth.

On motion, the vote by which the third reading of said bill was dispensed with on yesterday was reconsidered.

Mr. Prichard then moved to reconsider the vote by which said bill was ordered to be read a third time.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Martin and Casey, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	Jesse C. Gilbert,	Wm. Johnson,
R. A. Burton,	H. S. Hale,	Alfred T. Pope,
W. H. Chelf,	Thomas F. Hargis,	K. F. Prichard,
James F. Clay,	Edwin Hawes,	E. D. Standeford,
Harrison Cockrill,	J. B. Haydon,	W. L. Vories,
Wm. L. Conklin,	G. A. C. Holt,	Ben. J. Webb,
F. W. Darby,	John W. Johnson,	Emery Whitaker—22.
W. W. Frazer,		

Those who voted in the negative, were—

Robert Boyd,	J. H. Dorman,	A. L. Martin,
E. P. Campbell,	William P. Duvall,	A. L. McAfee,
James B. Casey,	W. McKee Fox,	O. D. McManama,
J. Q. Chenoweth,	John J. Gatewood,	A. G. Talbott,
G. W. Connor,	D. R. Haggard,	Thos. Wrightson—16.
John E. Cooper,		

Mr. Prichard then moved to reconsider the vote by which the amendment, proposed by Mr. Holt on yesterday, to the 14th section of said bill, was adopted.

And the question being taken on reconsidering said vote, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Martin and Prichard, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	W. W. Frazer,	Alfred T. Pope,
R. A. Burton,	Thomas F. Hargis,	K. F. Prichard,
W. H. Chelf,	Edwin Hawes,	E. D. Standeford,
James F. Clay,	J. B. Haydon,	W. L. Vories,
Wm L. Conklin,	John W. Johnson,	Ben. J. Webb,
G. W. Connor,	William Johnson,	Emery Whitaker—19.
F. W. Darby,		

Those who voted in the negative, were—

Robert Boyd,	William P. Duvall,	G. A. C. Holt,
E. P. Campbell,	W. McKee Fox,	A. L. Martin,
James B. Casey,	John J. Gatewood,	A. L. McAfee,
J. Q. Chenoweth,	Jesse C. Gilbert,	O. D. McManama,
Harrison Cockrill,	D. R. Haggard,	A. G. Talbott,
John E. Cooper,	H. S. Hale,	Thos. Wrightson—19.
J. H. Dorman,		

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Mr. Prichard then moved to postpone the further consideration of said bill until to-morrow at 10 o'clock.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. McManama and Webb, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	William P. Duvall,	Wm. Johnson,
W. H. Chelf,	W. McKee Fox,	A. L. McAfee,
James F. Clay,	John J. Gatewood,	Alfred T. Pope,
Harrison Cockrill,	D. R. Haggard,	K. F. Prichard,
Wm. L. Conklin,	Edwin Hawes,	A. G. Talbott,
G. W. Connor,	J. B. Haydon,	W. L. Vories,
John E. Cooper,	G. A. C. Holt,	Ben. J. Webb,
F. W. Darby,	John W. Johnson,	Emery Whitaker—24.

Those who voted in the negative, were—

Robert Boyd,	W. W. Frazer,	A. L. Martin,
R. A. Burton,	Jesse C. Gilbert,	O. D. McManama,
E. P. Campbell,	H. S. Hale,	E. D. Standeford,
James B. Casey,	Thomas F. Hargis,	Thos. Wrightson—13.
J. H. Dorman,		

Mr. Casey, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to protect fish in Drake's creek, in Simpson county;

An act to repeal an act, entitled "An act to amend section 1, article 3, chapter 47, Revised Statutes;"

An act to repeal an act, entitled "An act to prohibit the sale of ardent spirits in Breathitt county," approved February 7th, 1868;

An act authorizing the sale of lands belonging to St. Teresa's Catholic Church, in Meade county;

An act to amend an act for the benefit of Boone county, approved January 30, 1871;

An act to amend section 2, article 13, chapter 36, of the Revised Statutes;

An act for the benefit of the Pine Knob Turnpike Company;

An act to authorize the Graves county court to sell the old clerks' offices;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Casey reported that the committee had performed that duty.

And then the Senate adjourned.

SATURDAY, JANUARY 27, 1872.

Leave was given to bring in the following bills, viz:

On motion of Mr. Talbott—

1. A bill to assist in the completion of the Washington National Monument.

On motion of Mr. Gatewood—

2. A bill to amend an act, entitled "An act to incorporate the Bowling Green and Madisonville Railroad Company," approved March 22d, 1871.

Ordered, That the Committee on Railroads prepare and bring in the 2d, and that a select committee, composed of Messrs. Talbott, Whitaker, Gatewood, Holt, Burton, Clay, and McManama, be requested to prepare and bring in the 1st.

Mr. Haggard, from the Committee on Propositions and Grievances, reported a bill, entitled

A bill for the benefit of Daniel Clark, of color, "the Ancient Governor."

Which bill was read the first time and ordered to be read a second time.

Said bill was read a second time as follows, viz:

WHEREAS, Daniel Clark, a man of color, commonly called and known as the Ancient Governor, came into the Executive office of the State of Kentucky in the year 1836, and has all the time since served faithfully and honestly as porter to those offices at twelve dollars and fifty cents per month, giving full satisfaction to each and every administration; and whereas, he is now a very old and infirm man, not able to work or perform the duties of said office any longer; therefore, as an evidence of the appreciation in which Kentucky holds his faithfulness and honesty, and of her unwillingness that he shall want for a support,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That said Daniel Clark be allowed twelve dollars and fifty cents per month as long as he shall live, and the Auditor of Public Accounts is hereby directed to draw his warrant on the Treasurer therefor in favor of said Ancient Governor at the end of each month, and the same shall be paid out of the Public Treasury.

§ 2. This act to take effect from its passage.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	F. W. Darby,	John W. Johnson,
Robert Boyd,	J. H. Dorman,	William Johnson,
R. A. Burton,	William P. Duvall,	Alfred T. Pope,
E. P. Campbell,	W. McKee Fox,	K. F. Prichard,
James B. Casey,	W. W. Frazer,	E. D. Standeford,
W. H. Chelf,	John J. Gatewood,	A. G. Talbott,
J. Q. Chenoweth,	Jesse C. Gilbert,	W. L. Vories,
James F. Clay,	D. R. Haggard,	Ben. J. Webb,
Harrison Cockrill,	Thomas F. Hargis,	Emery Whitaker,
Wm. L. Conklin,	J. B. Haydon,	Thos. Wrightson—32.
John E. Cooper,	G. A. C. Holt,	

Those who voted in the negative, were—

H. S. Hale, Edwin Hawes—2.

Resolved, That the title of said bill be as aforesaid.

The Senate, according to order, took up for consideration a bill, which originated in the House of Representatives, entitled

An act to authorize the trustees of the Cincinnati Southern Railway to acquire the right of way and to extend a line of railway through certain counties in this Commonwealth.

Mr. McAfee moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The question was then taken on the passage of said bill, and it was decided in the affirmative, by the casting vote of Hon. Jno. G. Carlisle, Speaker of the Senate.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Robert Boyd,	J. H. Dorman,	A. L. Martin,
E. P. Campbell,	William P. Duvall,	A. L. McAfee,
James B. Casey,	W. McKee Fox,	O. D. McManama,
J. Q. Chenoweth,	John J. Gatewood,	A. G. Talbott,
Harrison Cockrill,	Jesse C. Gilbert,	Thos. Wrightson,
G. W. Connor,	D. R. Haggard,	John G. Carlisle—20.
John E. Cooper,	G. A. C. Holt,	

Those who voted in the negative, were—

John S. Barlow,	H. S. Hale,	Alfred T. Pope,
R. A. Burton,	Thomas F. Hargis,	K. F. Prichard,
W. H. Chelf,	Edwin Hawes,	E. D. Standeford,
James F. Clay,	J. B. Haydon,	W. L. Vories,
Wm. L. Conklin,	John W. Johnson,	Ben. J. Webb,
F. W. Darby,	Wm. Johnson,	Emery Whitaker—19.
W. W. Frazer,		

Resolved, That the title of said bill be as aforesaid.

Mr. Standeford then moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Talbott and Boyd, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	H. S. Hale,	Alfred T. Pope,
R. A. Burton,	Thomas F. Hargis,	K. F. Prichard,
W. H. Chelf,	Edwin Hawes,	E. D. Standeford,
James F. Clay,	J. B. Haydon,	W. L. Vories,
Wm. L. Conklin,	G. A. C. Holt,	Ben. J. Webb,
F. W. Darby,	John W. Johnson,	Emery Whitaker—.20
W. W. Frazer,	Wm. Johnson,	

Those who voted in the negative, were—

Robert Boyd,	John E. Cooper,	D. R. Haggard,
E. P. Campbell,	J. H. Dorman,	A. L. Martin,
James B. Casey,	Wm. P. Duvall,	A. L. McAfee,
J. Q. Chenoweth,	W. McKee Fox,	O. D. McManama,
Harrison Cockrill,	John J. Gatewood,	A. G. Talbott,
G. W. Connor,	Jesse C. Gilbert,	Thos. Wrightson—18.

And then the Senate adjourned.

MONDAY, JANUARY 29, 1872.

A message was received from the House of Representatives, announcing that they had concurred in the amendments proposed by the Senate to bills, which originated in the House of Representatives, of the following titles, viz:

An act to prevent the destruction of fish in the stream of Bank Lick, in Kenton county.

An act to amend an act, entitled "An act to prohibit the sale of spirituous, vinous, or malt liquors in the town of Campbellsville," approved March 21st, 1871.

An act to amend the charter of the Harrison County Agricultural Society.

A message was also received from the House of Representatives, announcing that they had passed bills, which originated in the Senate, of the following titles, viz:

An act to declare Hood's Fork of Blain creek a navigable stream.

An act to amend an act, entitled "An act to provide for the payment of the State debt."

An act to amend the charter of the Bank of Kentucky.

An act to incorporate the Western German Savings Bank of Louisville.

An act to incorporate the Bank of Commerce of Louisville.

With amendments to the last three named bills.

The amendments to which were referred to the Committee on Banks and Insurance.

That they had passed bills of the following titles, viz:

1. An act for the benefit of the Northern Bank of Kentucky.

2. An act to incorporate the Richmond Benevolent Society of Colored Persons.

3. An act to amend an act, entitled "An act to incorporate the Salt Lick, Esculapia, and Mount Carmel Turnpike Road Company."

4. An act for the benefit of the Augusta and Minerva Turnpike Road Company, in Bracken county.

5. An act to repeal chapter 1107 of the acts of 1871.

6. An act to repeal chapter 1108 of the acts of 1871.

7. An act to repeal chapter 1175 of the acts of 1871.

8. An act to amend the charter of the Board of Internal Improvement for Anderson county.

9. An act to authorize the town of Falmouth to subscribe for turnpike stock.

10. An act for the benefit of the Augusta and Dover Turnpike Road Company, in Bracken county.

11. An act to incorporate the Stoner Run and Kentucky River Turnpike Road Company, in Madison county.

12. An act to amend and reduce into one all the acts in regard to the town of Columbia.

13. An act to incorporate the town of Kingston, in Madison county.

14. An act to incorporate the Commercial Bank of Lebanon.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st and 14th to the Committee on Banks and Insurance; the 2d and 13th to the Committee on the Judiciary; the 3d, 4th, 8th, 10th, and 11th to the Committee on Internal Improvement; the 5th, 6th, and 7th to the Committee on Revised Statutes and Codes of Practice, and the 9th and 12th were ordered to be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The following bills were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Whitaker, from the Committee on Banks and Insurance—

A bill to incorporate the Bank of Owen.

By Mr. Pope, from the Committee on Banks and Insurance—

A bill for the benefit of the Farmers' Mutual Insurance Company.

By Mr. Conklin, from the Committee on Finance—

A bill for the benefit of Thos. A. Ireland, clerk of the Owen county court.

By Mr. Standeford, from the Committee on Internal Improvement—

A bill to incorporate the Eagle Creek, Dallasburg, and Bethel Turnpike Road Company.

By Mr. Chenoweth, from the Committee on Railroads—

A bill to amend the charter of the Shelby Railroad Company.

By Mr. John W. Johnson, from the Committee on Religion and Morals—

A bill to prohibit the sale of spirituous, vinous, or malt liquors within one mile of the court-house, in Edmonton.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The several committees to whom leaves had been referred to bring in the following bills, asked to be discharged from the further consideration thereof, viz:

A bill to repeal an act, entitled "An act to fix the fees of county attorneys," approved February 21st, 1868.

A bill to repeal section 12, article 12, chapter 32, of the Revised Statutes.

A bill to incorporate the Public Library of Harrodsburg.

A bill to incorporate the Protective Association of Kentucky.

Which was granted.

Mr. Prichard, from the Committee on Education, to whom was referred leave to bring in a bill, entitled

A bill to repeal an act, entitled "An act directing the purchase of Collins' Historical Sketches of Kentucky."

Asked to be discharged from the further consideration of the leave.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Campbell and Holt, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	W. W. Frazer,	K. F. Prichard,
James B. Casey,	John J. Gatewood,	E. D. Standeford,
W. H. Chelf,	J. B. Haydon,	A. G. Talbott,
J. Q. Chenoweth,	John W. Johnson,	W. L. Vories,
Wm. L. Conklin,	A. L. Martin,	Emery Whitaker,
J. H. Dorman,	A. L. McAfee,	Thos. Wrightson—18.

Those who voted in the negative, were—

Robert Boyd,	F. W. Darby,	Edwin Hawes,
R. A. Burton,	W. McKee Fox,	G. A. C. Holt,
E. P. Campbell,	Jesse C. Gilbert,	Wm. Johnson,
James F. Clay,	D. R. Haggard,	O. D. McManama,
G. W. Connor,	H. S. Hale,	Alfred T. Pope—16.
John E. Cooper,		

Mr. Martin, from the Committee on Education, to whom had been referred a bill, entitled

A bill to amend the charter of the town of Bowling Green,

Reported the same without amendment.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Standeford, from the Committee on Internal Improvement, reported a bill, entitled

A bill to exempt footmen and others from bridge toll.

Which bill was read the first time and ordered to be read a second time.

Said bill was read a second time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That persons going to or from a mill with grain to be ground for family use on horseback, or after the product of the grain already ground, shall be exempt from the payment of toll at any bridge crossing upon a road in which the State has an interest.

§ 2. That persons traveling or passing on foot any such bridge, as described in the first section of this act, shall also be exempt from payment of toll.

§ 3. This act shall take effect from and after its passage.

Mr. Haggard then moved to strike out the first section of said bill.

Which was adopted.

Mr. Wrightson then moved to strike out all after the enacting clause.

And the question being taken thereon, it was decided in the negative.

Mr. Haggard then moved to amend the second section of the original bill so as to make it read as follows, viz:

That persons traveling or passing on foot any bridge in which the State has an interest shall be exempt from toll at such bridge.

Which was adopted.

Ordered, That said bill, as amended, be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Wrightson and Hawes, were as follows, viz:

Those who voted in the affirmative, were—

R. A. Burton,	John J. Gatewood,	A. L. McAfee,
James B. Casey,	Jesse C. Gilbert,	O. D. McManama,
J. Q. Chenoweth,	D. R. Haggard,	Alfred T. Pope,
James F. Clay,	J. B. Haydon,	K. F. Prichard,
Harrison Cockrill,	G. A. C. Holt,	E. D. Standeford,
John E. Cooper,	John W. Johnson,	A. G. Talbott,
W. McKee Fox,	A. L. Martin,	Emery Whitaker—21.

Those who voted in the negative, were—

John S. Barlow,	G. W. Connor,	Edwin Hawes,
Robert Boyd,	F. W. Darby,	Wm. Johnson,
E. P. Campbell,	J. H. Dorman,	W. L. Vories,
W. H. Chelf,	W. W. Frazer,	Thos. Wrightson—14.
Wm. L. Conklin,	H. S. Hale,	

Resolved, That the title of said bill be amended to read,

An act to exempt footmen from bridge toll.

Mr. Conklin, from the Committee on Revised Statutes and Codes of Practice, reported a bill, entitled

A bill amending article 5, chapter 2, title 9, of the Civil Code of Practice.

Which bill was read the first time and ordered to be read a second time.

Said bill was read a second time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That not more than two new trials shall be granted to the same party in the same cause.

§ 2. This act shall take effect and be in force from its passage.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Haggard and Wm. Johnson, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	Wm. L. Conklin,	John W. Johnson,
R. A. Burton,	J. H. Dorman,	William Johnson,
E. P. Campbell,	W. McKee Fox,	A. L. McAfee,
James B. Casey,	W. W. Frazer,	E. D. Standeford,
W. H. Chelf,	John J. Gatewood,	W. L. Vories,
James F. Clay,	J. B. Haydon,	Thos. Wrightson—18.

Those who voted in the negative, were—

Robert Boyd,	D. R. Haggard,	O. D. McManama,
J. Q. Chenoweth,	H. S. Hale,	Alfred T. Pope,
G. W. Connor,	Edwin Hawes,	K. F. Prichard,
John E. Cooper,	G. A. C. Holt,	A. G. Talbott,
F. W. Darby,	A. L. Martin,	Emery Whitaker—16.
Jesse C. Gilbert,		

Resolved, That the title of said bill be as aforesaid.

Mr. Wm. Johnson, from the Committee on the Judiciary, to whom was referred the amendment proposed by the House of Representatives to a bill, which originated in the Senate, entitled

An act to amend the laws of evidence in this Commonwealth,

Reported the same, with the expression of opinion that said amendment should be concurred in.

The section proposed to be amended reads as follows, viz:

§ 8. This act shall take effect from its passage; but sections one to six, inclusive, shall not apply to actions or special proceedings instituted before its passage, and in which the answer shall have been filed before such passage.

The amendment proposed by the House of Representatives is as follows, viz:

Strike out all after the word "passage," where it first occurs.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Cooper and Wrightson, were as follows, viz:

Those who voted in the affirmative were—

Robert Boyd,	F. W. Darby,	G. A. C. Holt,
E. P. Campbell,	J. H. Dorman,	John W. Johnson,
James B. Casey,	W. McKee Fox,	William Johnson,
W. H. Chelf,	John J. Gatewood,	Alfred T. Pope,
J. Q. Chenoweth,	Jesse C. Gilbert,	K. F. Prichard,
James F. Clay,	D. R. Haggard,	E. D. Standeford,
Harrison Cockrill,	H. S. Hale,	Thos. Wrightson—22.
Wm. L. Conklin,		

Those who voted in the negative, were—

John S. Barlow,	Thomas F. Hargis,	O. D.McManama,
R. A. Burton,	Edwin Hawes,	A. G. Talbott,
G. W. Connor,	J. B. Haydon,	W. L. Vories,
John E. Cooper,	A. L. Martin,	Emery Whitaker—14.
W. W. Frazer,	A. L. McAfee,	

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Whitaker, from the Committee on Banks and Insurance—

An act to amend the charter of the Owensboro Savings Bank.

By Mr. Standeford, from the Committee on Internal Improvement—

An act to declare Morgan's creek, in Lawrence county, a navigable stream.

By Mr. Wm. Johnson, from the Committee on the Judiciary—

An act to amend the town charter of Lebanon.

By same—

An act to provide for appointing an assistant county attorney for the county of Kenton.

By same—

An act to repeal an act, entitled "An act for the benefit of D. C. Smith, of Barren county."

By same—

An act to amend the charter of the city of Paris.

By same—

An act to incorporate the town of Martinsburg, in Elliott county.

By same—

An act to amend the charter of the Second German Protestant Benevolent Society of Louisville.

By same—

An act to amend an act revising the charter of the city of Paducah, Kentucky, approved February 11th, 1871.

By same—

An act revising the charter of the town of New Liberty, in Owen county.

By Mr. Chenoweth, from the Committee on Railroads—

An act to amend the charter of the Louisville and Nashville Railroad Company.

By Mr. Chelf, from the Committee on Revised Statutes and Codes of Practice—

An act to legalize certain acts of James W. Staton, late road commissioner of Bracken county.

By Mr. Vories, from the Committee on Banks and Insurance—

An act to amend the charter of the Western Insurance and Banking Company.

By Mr. Wm. Johnson, from the Committee on the Judiciary—

An act to amend the charter of South Carrollton.

By same—

An act to amend the law in regard to crimes and punishments.

With amendments to the last three named bills.

Which were adopted.

Ordered, That said bills, the last three as amended, be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid, except the last two, the title to the former of which is amended to read,

An act to amend the charter of the town of South Carrollton, in Muhlenburg county.

And the title of the latter is amended to read,

An act to amend section 8, article 25, chapter 28, of the Revised Statutes.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Wm. Johnson, from the Committee on the Judiciary—

An act enabling H. B. Elrod and Jane Elrod to adopt John W. Elrod as their heir-at-law.

By same—

An act to incorporate the Workman's Publishing Company of the city of Louisville.

By same—

An act to incorporate Independent Order of Odd Fellows, No. 83, Hickman, Fulton county.

By same—

An act to incorporate the German Roman Catholic St. Andrews Benevolent Society, of Louisville.

By Mr. Chelf, from the Committee on Revised Statutes and Codes of Practice—

An act to prohibit and punish certain trespasses in Muhlenburg county.

With the expression of opinion that said bills ought not to pass.

And the question being taken on ordering said bills to be read a third time, the opinion of the committee to the contrary notwithstanding, it was decided in the negative.

So said bills were disagreed to.

Mr. Gatewood, from the Committee on Revised Statutes and Codes of Practice, to whom was referred a bill, which originated in the House of Representatives, entitled

An act to incorporate the Lexington Building and Accumulating Fund Association,

Reported the same without amendment.

On motion of Mr. Chenoweth, said bill was ordered to be printed, and placed in the orders of the day.

The following petitions were presented, viz:

By Mr. Campbell—

1. The petition of sundry citizens of Christian county, praying the passage of an act indemnifying the people for losses sustained by fire from passing railroad trains.

By Mr. Wm. Johnson—

2. The petition of sundry citizens of Bardstown, praying an amendment to their town charter.

By Mr. John W. Johnson—

3. The petition of sundry citizens of Morgantown, praying the passage of an act to prohibit the sale of intoxicating liquors in said town, and within one half mile of the limits thereof.

By Mr. Frazer—

4. The petition of sundry citizens of Todd county, praying for the passage of an act authorizing the furnishing the police court at Allensville, in said county, with a complete set of the reports of the Decisions of the Court of Appeals, together with a copy each of such other books as have been, and may hereafter be, furnished by the State to the libraries of the several counties.

By Mr. Gilbert—

5. The petition of the school board of the University of the city of Paducah, praying the passage of an act transferring the property,

buildings, &c., of said university and female seminary to the free school board.

By Mr. Hargis—

6. A petition praying the passage of an act for the benefit of Wm. J. Hughes and Lincoln Abnee.

Which petitions were received, the reading dispensed with, and referred—the 1st to the Committee on Propositions and Grievances; the 2d to the Committee on the Judiciary; the 3d and 6th to the Committee on Religion and Morals, and the 4th and 5th to the Committee on Revised Statutes and Codes of Practice.

Leave was given to bring in the following bills, viz:

On motion of Mr. Haggard—

1. A bill to further protect the rights of married women in this Commonwealth.

On motion of Mr. Hargis—

2. A bill to regulate the time of holding courts in the 14th judicial district.

On motion of same—

3. A bill for the benefit of Wm. A. Byram, sheriff of Nicholas county.

On motion of same—

4. A bill for the benefit of school district No. 26, in Nicholas county.

On motion of Mr. Pope—

5. A bill for the benefit of A. E. Camp, jailer of Jefferson county.

On motion of Mr. Connor—

6. A bill to amend an act, entitled "An act to amend an act to incorporate the Cincinnati, Covington, and Cumberland Gap Railroad Company," approved March 11th, 1867.

On motion of same—

7. A bill to amend the charter of the Elizabethtown, Lexington, and Big Sandy Railroad Company.

Ordered, That the Committee on the Judiciary prepare and bring in the 1st, 2d, 3d, and 4th; the Committee on Claims the 5th, and the Committee on Railroads the 6th and 7th.

Mr. Casey, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act to amend the charter of the town of Mayfield;

An act to repeal an act, entitled "An act to incorporate the Ludlow Turnpike Company;"

An act to incorporate the Louisville Car Wheel and Railway Supply Company;

An act to amend section 5, article 2, chapter 83, of the Revised Statutes, title "Revenue and Taxation;"

An act to amend the charter of the town of Carlisle, in Nicholas county;

An act amending section 1 of an act, approved February 27th, 1860, entitled "An act to incorporate the Eminence Cemetery Company;"

An act for the benefit of the Mulberry and Consolation Turnpike Road Company, in the county of Shelby;

An act to incorporate the Mississippi River Levee Company;

An act to amend the charter of the Bowling Green Water-works Company;

An act for the benefit of the common school districts in Cumberland county;

An act in relation to the Bardstown and Green River Turnpike Road Company;

And enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to prevent the destruction of fish in the stream of Bank Lick, in Kenton county;

An act to amend an act, entitled "An act to prohibit the sale of spirituous, malt, or vinous liquors in Campbellsville," approved March 21st, 1871;

An act to amend the charter of the Harrison County Agricultural Society;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Casey reported that the committee had performed that duty.

A message in writing was received from the Governor by Mr. Botts, Assistant Secretary of State.

Said message was taken up and read as follows, viz:

STATE OF KENTUCKY, EXECUTIVE DEPARTMENT,
FRANKFORT, January 29th, 1872.

Gentlemen of the Senate:

I hereby nominate for your advice and consent the following persons as suitable to be commissioned as notaries public, viz:

J. H. H. Woodward, Jefferson county.
Michael Bolond, Jefferson county.
Morris A. Sachs, Jefferson county.
Alexander G. Booth, Jefferson county.
Thomas W. Gibson, Jefferson county.
A. M. Quarrier, Jefferson county.
G. B. Hodge, Campbell county.
P. G. State, Fayette county.
P. W. Bright, Fayette county.
J. M. Curd, Mercer county.
Joseph G. Haydock, Marshall county.
George B. Payne, Warren county.
F. M. Allison, State at large.
Henry H. Huston, State at large.
J. E. Miller, State at large.
Richard T. Tyler, Fulton county.
Adam T. Rankin, Breckinridge county.
Wm. G. Hume, Jefferson county.
W. V. Prather, Robertson county.
Abraham Jenkins, Monroe county.
A. G. Rosenthal, Hickman county.
George T. Barret, Jefferson county.
Lewis Lebus, Harrison county.

Respectfully,

P. H. LESLIE.

Resolved, That the Senate advise and consent to said appointments.

A message was received from the House of Representatives, announcing that they had adopted a resolution, entitled

Resolution providing for an extension of the session of the present General Assembly.

Which was taken up and read as follows, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the present session of the General Assembly be extended and continued beyond the term of sixty days.

And the question being taken on concurring in the adoption of said resolution, it was decided in the affirmative.

The yeas and nays being required thereon, in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	J. H. Dorman,	A. L. Martin,
R. A. Burton,	W. McKee Fox,	A. L. McAfee,

James B. Casey,	W. W. Frazer,	O. D. McManama,
W. H. Chelf,	John J. Gatewood,	Alfred T. Pope,
J. Q. Chenoweth,	Jesse C. Gilbert,	K. F. Prichard,
James F. Clay,	D. R. Haggard,	E. D. Standeford,
Harrison Cockrill,	Thomas F. Hargis,	A. G. Talbott,
Wm. L. Conklin,	Edwin Hawes,	W. L. Vories,
G. W. Connor,	J. B. Haydon,	Emery Whitaker,
John E. Cooper,	John W. Johnson,	Thos. Wrightson—32.
F. W. Darby,	Wm. Johnson,	

Those who voted in the negative, were—

Robert Boyd,	H. S. Hale,	G. A. C. Holt—4.
E. P. Campbell,		

A message was received from the House of Representatives, announcing that they had adopted resolutions of the following title, viz:

Resolutions on the death of Hon. T. S. Fish.

Which were taken up and read as follows, viz:

WHEREAS, It has been made known to this General Assembly that the Hon. T. S. Fish, a member of the House of Representatives from the county of Boone, departed this life upon Saturday, the 27th inst., in the pride of his manhood and usefulness; and out of respect to his memory and many virtues, be it

1. *Resolved by the General Assembly of the Commonwealth of Kentucky*, That it is with unfeigned regret and sorrow that we, the members of this General Assembly, have heard of the death of the Hon. T. S. Fish, an event that carries sorrow to his many friends, and deprives the State of a useful and honorable public servant.

2. *Resolved*, That the family of the deceased are tendered the deepest sympathy of the members of this General Assembly in this their great bereavement.

3. *Resolved*, That as a further mark of respect to the memory of the deceased, we will wear the usual badge of mourning for the period of thirty days.

4. *Resolved*, That these resolutions be spread upon the Journal, and that a copy of the same be forwarded to his family by the Speaker of the House of Representatives, and that we do now adjourn.

And the question being taken on concurring in the adoption of said resolutions, it was decided in the affirmative.

And then the Senate adjourned.

TUESDAY, JANUARY 30, 1872.

A message was received from the House of Representatives, announcing that they had passed bills and a resolution of the following titles, viz:

1. An act to incorporate the Caseyville Deposit Bank, of Union county.

2. An act to incorporate the Smith's Grove Deposit Bank.

3. An act to amend an act to incorporate the North Middletown Deposit Bank, approved March 15th, 1869.

4. Resolution directing the Governor to cause the remains of the late Governor Adair to be reinterred in the Frankfort cemetery, and to erect monuments over the graves of Governors Adair and Breathitt.

Which bills and resolution were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills and resolution being dispened with, they were referred—the 1st, 2d, and 3d to the Committee on Banks and Insurance, and the 4th to the Committee on Finance.

The Speaker laid before the Senate the following communication, viz:

ODD FELLOWS' TEMPLE,
FRANKFORT, KY., January 30th, 1872.

HON. JOHN G. CARLISLE, *Lieutenant Governor and Speaker of the Senate:*

SIR: Capital Lodge, No. 6, I. O. O. F., by unanimous vote, invites the honorable body of which you are a member, and over which you preside, to be present at the Baptist Church to-day at 11 o'clock, A. M., where an address will be delivered by P. G. M. M. S. Dowden, on the occasion of dedicating the Odd Fellows' Temple; and I have the honor to give you official notice of the same.

Very respectfully yours,
W. S. DEHONEY, *Secretary.*

The following remonstrances and petitions were presented, viz:

By Mr. Martin—

1. The remonstrance of the citizens of Clay county, against the levy of an additional tax in said county.

By Mr. Clay—

2. The petition of sundry citizens of Henderson, praying for a change of the city limits.

By Mr. Cooper—

3. The petition of sundry citizens of Magoffin county, asking the passage of an act authorizing the jailer of that county to compel persons confined in jail for penal offenses to work on the streets and public highways.

By Mr. Darby—

4. The remonstrance of sundry citizens of Crittenden county, remonstrating against the passage of a bill to prevent the sale of liquors in said county.

By Mr. Boyd—

5. The petition of sundry citizens of Knox county, praying the repeal of an act to prevent the destruction of fish in Cumberland river.

Which remonstrances and petitions were received, the reading dispensed with, and referred—the 1st to the Committee on Finance; the 2d and 5th to the Committee on Propositions and Grievances; the 3d to the Committee on Revised Statutes and Codes of Practice, and the 4th to the Committee on Religion and Morals.

On motion of Mr. Talbott, leave of indefinite absence was granted to Mr. Burton.

Mr. Talbott, from a select committee, reported a bill, entitled

A bill to empower Franklin county and other counties in the State to suppress disorder and enforce the law.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Wrightson,

Ordered, That said bill be printed, and placed in the orders of the day.

Mr. Talbott, from a select committee, to whom had been referred resolutions, which originated in the House of Representatives, entitled

Resolutions in relation to distilleries and the tax thereon,

Said resolutions read as follows, viz:

WHEREAS, By orders of the Government of the United States, through the Commissioner of Internal Revenue, an officer of the Bureau of the Treasury Department, the distillers of the United States, and especially of Kentucky, were required to purchase the Tice metres at enormous expense; and whereas, the Tice metres proved to be utterly worthless, and of no account whatever, to test the flow of spirits from the worms of distilleries, either as to quantity

or quality, so much so that the said metres could not be successfully attached to the worms of distilleries, and only attempted in a few instances, where they invariably proved to be miserable failures, and in truth and in fact long since abandoned by the government as worse than useless; and whereas, those distillers who were the most prompt to comply with the rulings of the Internal Revenue Bureau as aforesaid, have, it is believed, lost their money, which was unjustly and unconstitutionally extorted from them and paid over to the manufacturer of the Tice metres, by order of the Commissioner of Internal Revenue, approved by the Secretary of the Treasury; and whereas, a large sum has gone into the Treasury of the United States by virtue of its order to distillers, who were required to pay over the money as aforesaid, under the no less penalty than a stoppage or confiscation of their distilleries; and whereas, the principles of justice and moral right require that the Government of the United States should be just to that class of citizens who pay nearly one half of the revenue into the Treasury that is collected under and by virtue of its internal revenue system of taxation; therefore, be it

1. *Resolved by the General Assembly of the Commonwealth of Kentucky*, That our Senators in Congress be instructed, and our Representatives requested, to use all honorable means to have enacted a law, by which money thus wrongfully obtained from distillers, to have the same refunded to them at the earliest day practicable.

2. That our Senators be instructed, and our Representatives requested, to try to have the law of 1868, and all other laws and rulings of the Internal Revenue Bureau, so amended that a distiller shall only pay tax on the quantity of spirits actually produced; that the principle of making a manufacturer pay on distilled spirits never manufactured is no better than for the manufacturer not to pay on all the spirits really distilled; that fraud against the government, on the part of the manufacturer, in not paying tax upon all the whiskies manufactured by him, is wrong and unjust, and should be adequately punished; and for the government to cause the honest distiller to pay tax on spirits never produced, is, in principle and justice, no better; and that appropriate legislation to correct this abuse is demanded by the best interest of the country.

Reported the same, with an amendment as a substitute therefor; which amendment reads as follows, viz:

WHEREAS, The distillers of spirits in the United States, and especially the distillers of Kentucky, were required by the Commissioner of Internal Revenue to purchase what is commonly known as the "Tice metre," at enormous expense; and whereas, said metre proved to be utterly worthless for the purposes designed, and the money paid for said metres was therefore wrongfully caused to be paid; therefore, be it

1. *Resolved by the General Assembly of the Commonwealth of Kentucky*, That our Senators in Congress be instructed, and our Representatives requested, to use all honorable means to have enacted a law by which distillers may have refunded to them the amounts paid by them for the aforesaid metres.

2. That it is the sense of this General Assembly that the distiller of spirits should pay a tax only on the quantity of spirits actually distilled, and all laws contrary to this idea are oppressive and wrong; and that appropriate legislation to correct the laws in this regard is demanded.

3. That a copy of these resolutions be forwarded by the Governor to our Senators and members of the House of Representatives at Washington.

The question was then taken on the adoption of the amendment proposed by the committee, and it was decided in the affirmative.

The question was then taken on the adoption of said resolutions, as amended, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Campbell and Haggard, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	John J. Gatewood,	A. L. Martin,
W. H. Chelf,	Jesse C. Gilbert,	A. L. McAfee,
James F. Clay,	D. R. Haggard,	O. D. McManama,
Harrison Cockrill,	H. S. Hale,	Alfred T. Pope,
Wm. L. Conklin,	Thomas F. Hargis,	A. G. Talbott,
John E. Cooper,	Edwin Hawes,	W. L. Vories,
F. W. Darby,	J. B. Haydon,	Ben. J. Webb,
J. H. Dorman,	John W. Johnson,	Emery Whitaker—26.
W. W. Frazer,	Wm. Johnson,	

In the negative, E. P. Campbell—1.

The following bills were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Whitaker, from the Committee on Banks and Insurance—

1. A bill to incorporate the Bank of Uniontown.

By Mr. Vories, from the Committee on Banks and Insurance—

2. A bill to incorporate the Deposit Bank of Carrollton.

By Mr. Talbott, from the Committee on Charitable Institutions—

3. A bill to provide for the location and erection of the Third Lunatic Asylum.

By Mr. Gilbert, from the Committee on Courts of Justice—

4. A bill to provide for defining and marking the line between the counties of Christian and Caldwell.

By Mr. Wm. Johnson, from the Committee on the Judiciary—

5. A bill amending section 13, chapter 30, of the Revised Statutes, title "Descent and Distribution."

By Mr. Pope, from the Committee on the Judiciary—

6. A bill to amend the charter of the town of Bardstown, in the county of Nelson.

By same—

7. A bill to amend an act, entitled "An act to incorporate the Stove, Grate, and Mantel Manufacturing Company," approved March 15th, 1869.

By Mr. Hargis, from the Committee on the Judiciary—

8. A bill to change the time of convening the General Assembly of Kentucky.

By Mr. John W. Johnson, from the Committee on Religion and Morals—

9. A bill to prohibit the sale of spirituous, vinous, or malt liquors within one mile of Richland school-house, in Mason county.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, the 3d was made the special order of the day for Tuesday next; the 8th was ordered to be printed, and made the special order of the day for Thursday, February 1st; the 1st, 2d, 4th, 5th, 6th, 7th, and 9th were ordered to be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Talbott, from the Committee on Charitable Institutions, to whom was referred a resolution, which originated in the House of Representatives, entitled

Resolution providing for an examination of the charitable institutions of the State.

Said resolution reads as follows, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That a joint committee, composed of one member of the Senate, and two of the House of Representatives, to be selected from the members at present composing the Committees on Charitable Institutions of the two Houses, to be appointed by the Speakers thereof, be, and they are hereby, directed to proceed to visit the several charitable institutions of this Commonwealth, and examine into the present condition and management thereof; and they are hereby instructed to make a full and complete report of such visit of examination to their respective Houses by the 1st day of February next,

Reported the same with the following amendment, viz:

Amend so as to strike out the word "one," in the second line, and insert "two;" also strike out in the second line the word "two" and

insert "three." Strike out the "1st," and insert the "15th of February," in the last line.

The question was then taken on the adoption of said amendment, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Haggard and McAfee, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	William P. Duvall,	A. L. Martin,
James B. Casey,	W. W. Frazer,	A. L. McAfee,
W. H. Chelf,	John J. Gatewood,	O. D. McManama,
Harrison Cockrill,	Jesse C. Gilbert,	Alfred T. Pope,
F. W. Darby,	D. R. Haggard,	A. G. Talbott,
J. H. Dorman,	John W. Johnson,	W. L. Vories—18.

Those who voted in the negative, were—

Robert Boyd,	H. S. Hale,	William Johnson,
E. P. Campbell,	Thomas F. Hargis,	Ben. J. Webb.
James F. Clay,	Edwin Hawes,	Emery Whitaker,
Wm. L. Conklin,	J. B. Haydon,	Thos. Wrightson—13.
John E. Cooper,		

The question was then taken on the adoption of the resolution, as amended, and it was decided in the affirmative.

Mr. Barlow, from the Committee on Claims, reported a bill, entitled

A bill for the benefit of the county of Nelson.

Which was read the first time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor is hereby authorized to draw his warrant on the Treasurer of this State, in favor of the county of Nelson, for the sum of one hundred and fifty-three dollars and fifteen cents, payable out of any money in the Treasury not otherwise appropriated, being so much incurred by said county in caring for pauper lunatics.

§ 2. This act shall be in force from its passage.

Ordered, That said bill be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	J. H. Dorman,	John W. Johnson,
Robert Boyd,	Wm. P. Duvall,	Wm. Johnson,

E. P. Campbell,	W. W. Frazer,	A. L. Martin,
James B. Casey,	John J. Gatewood,	O. D. McManama,
W. H. Chelf,	Jesse C. Gilbert,	Alfred T. Pope,
James F. Clay,	D. R. Haggard,	A. G. Talbott,
Harrison Cockrill,	H. S. Hale,	W. L. Vories,
Wm. L. Conklin,	Thomas F. Hargis,	Ben. J. Webb,
John E. Cooper,	Edwin Hawes,	Emery Whitaker,
F. W. Darby,	J. B. Haydon,	Thos. Wrightson—30.

In the negative—none.

Resolved, That the title of said bill be as aforesaid.

Mr. Whitaker, from the Committee on Courts of Justice, asked to be discharged from the further consideration of a leave to bring in a bill, entitled

A bill for the benefit of the late clerks, sheriffs, jailers, and other civil officers of this Commonwealth, having uncollected fee bills or taxes, and their personal representatives.

Which was granted.

Mr. Pope, from the Committee on the Judiciary, asked to be discharged from the further consideration of a leave to bring in a bill, entitled

A bill to further protect the rights of married women in this Commonwealth.

Which was granted.

Mr. Whitaker, from the Committee on Banks and Insurance, to whom had been referred the amendments proposed by the House of Representatives to a bill, which originated in the Senate, entitled

An act to incorporate the Western German Savings Bank of Louisville,

Reported the same, with the expression of opinion that said amendments should be concurred in.

And the question being taken thereon, it was decided in the affirmative.

Mr. Haggard, from the Committee on Internal Improvement, to whom had been referred the amendment proposed by the House of Representatives to a bill, which originated in the Senate, entitled

An act authorizing the presiding judge of Nicholas county to make further subscriptions to the unfinished turnpike roads in said county,

Reported the same, with the expression of opinion that said amendment should be concurred in.

And the question being taken thereon, it was decided in the affirmative.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Whitaker, from the Committee on Courts of Justice—

An act for the benefit of the executors of James P. Mitchell, deceased.

By Mr. Frazer, from the Committee on Education—

An act for the benefit of White Sulphur school district, in Scott county.

By same—

An act for the benefit of John Goodin, commissioner of common schools for Josh Bell county.

By Mr. Gatewood, from the Committee on Education—

An act to organize and establish a system of public schools in the town of Madisonville, county of Hopkins.

By Mr. J. W. Johnson, from the Committee on Education—

An act for the benefit of St. Joseph's Industrial School for Boys, in the city of Louisville.

By Mr. Haggard, from the Committee on Internal Improvement—

An act to incorporate the White Oak Turnpike Road Company, in Bath county.

By same—

An act for the benefit of Lark Howard, of Magoffin county.

By same—

An act to amend an act, entitled "An act to amend the charter of the Covington and Lexington Turnpike Road Company."

By same—

An act to charter the Ludlow and Florence Turnpike Road.

By same—

An act to amend the charter of the Independence and Big Bone Turnpike Road Company.

By same—

An act incorporating the Beech Fork and Simpson Creek Turnpike Road Company.

By same—

An act to amend the charter of the Richmond, Union Meeting-house, and Kentucky River Turnpike Road Company.

By same—

An act to provide for the improvement of the public roads in Butler county.

By Mr. Wm. Johnson, from the Committee on the Judiciary—

An act to repeal an act, entitled "An act to amend the charter of the town of Lancaster," approved March 11th, 1870.

By Mr. Talbott, from the Committee on Sinking Fund—

An act to legalize the action of the Commissioners of the Sinking Fund of Marion county, in relation to the sale of Louisville and Nashville Railroad stock, and other matters pertaining thereto.

By Mr. Pope, from the Committee on the Judiciary—

An act for the benefit of all persons owning land binding on that part of Mann's Lick road, alias Saratoga street, alias Pope street, between Broadway, in the city of Louisville, and its intersection with Rothwell street.

By Mr. Chelf, from the Committee on Revised Statutes and Codes of Practice—

An act creating a lien on property for erection of gas lamp-posts in the city of Paducah.

By same—

An act to amend an act, entitled "An act to incorporate the town of Pewee Valley, in Oldham county."

By Mr. Conklin, from the Committee on Revised Statutes and Codes of Practice—

An act to amend an act, entitled "An act to incorporate the town of Frenchburg, in Menifee county."

By same—

An act to amend an act, entitled "An act to incorporate the town of Sonora, in Hardin county."

By same—

An act to extend the corporate limits of the town of Paradise, in Muhlenburg county.

By Mr. Conklin, from the Committee on Finance—

An act for the benefit of James M. Greenwade, late sheriff of Menifee county.

By Mr. Wm. Johnson, from the Committee on the Judiciary—

An act regulating the taking of bail bonds.

By Mr. Clay, from the Committee on the Judiciary—

An act to amend an act, entitled "An act to incorporate the town of Earlington."

By Mr. Chelf, from the Committee on Revised Statutes and Codes of Practice—

An act to incorporate the town of Boston Station, Pendleton county.

By same—

An act to incorporate the town of Fulton, in Fulton county.

With amendments to the last five named bills.

Which were adopted.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid, except the 2d, which was amended to read,

An act to amend the Criminal Code of Practice in relation to the taking of bail.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Whitaker, from the Committee on Courts of Justice—

An act for the benefit of late clerks, sheriffs, jailers, constables' magistrates, and other officers of this Commonwealth.

By Mr. Frazer, from the Committee on Education—

An act to incorporate the East Cedar Hill Institute, in Jefferson county.

By Mr. Wm. Johnson, from the Committee on the Judiciary—

An act to incorporate the Richmond Benevolent Society of Colored Persons.

By Mr. Clay, from the Committee on the Judiciary—

An act to amend the charter of the city of Hopkinsville.

With the expression of opinion that said bills ought not to pass.

And the question being taken on ordering said bills to be read a third time, the opinion of the committee to the contrary notwithstanding, it was decided in the negative.

So said bills were disagreed to.

The Senate took up for consideration a bill, which originated in the House of Representatives, entitled

An act for the benefit of common schools of the city of Paducah.

Ordered, That said bill be referred to the Committee on Revised Statutes and Codes of Practice.

Leave was given to bring in the following bills, viz:

On motion of Mr. Cockrill—

1. A bill to provide for the registration of the voters of this Commonwealth.

On motion of same—

2. A bill prescribing the mode in which common school commissioners shall hereafter be appointed for the several counties of this Commonwealth.

On motion of Mr. Campbell—

3. A bill to amend chapter 28, article 4, Revised Statutes, title "Crimes and Punishments."

On motion of same—

4. A bill to repeal an act, entitled "An act to authorize creditors in certain cases to garnishee before judgment or return of no property," passed and approved March 15th, 1870.

On motion of Mr. Martin—

5. A bill to prescribe the manner of taking the votes by ballot in electing members of Congress.

On motion of Mr. Haggard—

6. A bill for the benefit of Miss Blankenship, of Cumberland county.

On motion of Mr. Whitaker—

7. A bill for the benefit of Pearce, Wallingford & Co., of Mason county.

On motion of Mr. Pope—

8. A bill to incorporate the Shippers' Tobacco Bank.

Ordered, That the Committee on the Judiciary prepare and bring in the 1st and 5th; the Committee on Education the 2d; the Committee on Revised Statutes and Codes of Practice the 3d and 4th; the Committee on Charitable Institutions the 6th, and the Committee on Banks and Insurance the 7th and 8th.

Mr. Cooper, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act to amend the laws of evidence in this Commonwealth;

An act to declare Hood's Fork of Blain creek a navigable stream;

An act to amend an act, entitled "An act to provide for the payment of the State debt;"

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto,

and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Cooper reported that the committee had performed that duty.

And then the Senate adjourned.

WEDNESDAY, JANUARY 31, 1872.

A message was received from the House of Representatives, announcing that they had concurred in the amendment proposed by the Senate to a bill, which originated in the House of Representatives, entitled

An act to amend the charter of the Western Insurance and Banking Company.

That they had passed bills, which originated in the Senate, of the following titles, viz:

An act to authorize the Cumberland county court to levy an additional poll and ad valorem tax for county purposes.

An act to legalize the action of the Cumberland county court in the sale of the old jail in said county.

An act regulating the time of holding the quarterly courts in Nicholas county.

An act to create the office of auditor for Warren county.

An act to authorize the county court of Green to issue bonds and levy a tax for certain purposes.

That they had passed bills of the following titles, viz:

1. An act to amend section 4, article 1, chapter 99, of the Revised Statutes.

2. An act to incorporate the Christian County Bank.

3. An act to amend the charter of the Lexington Library.

4. An act to amend section 37, chapter 1, Civil Code of Practice.

5. An act to amend the charter of the Newport and Dayton Turnpike Company.

6. An act to amend the charter of the Old State Road and Ripple Creek Turnpike Road Company.

7. An act to regulate the mode of executing process issued by the clerk of the Campbell circuit court, and docketing cases in said court.

8. An act for the benefit of Anderson C. Butler, of Breathitt county.

9. An act for the benefit of Wilson Morgan, sheriff of Clay county.

10. An act to legalize certain orders of the Mercer county court.

11. An act authorizing the indexing of the order-books of the Mercer county court.

12. An act to amend an act, entitled "An act to authorize the Henderson county court to raise money by an ad valorem tax, and issuing bonds," approved February 27th, 1867.

13. An act for the benefit of district No. 3, in McLean county.

14. An act concerning the county levy and taxation in Livingston county.

15. An act to regulate and establish the rate of tolls on the Covington and Cincinnati bridge.

16. An act to regulate the running of ferries and ferry rates in the city of Covington.

17. An act to amend the charter of Dry Creek and Covington Turnpike Company.

18. An act to amend the charter of the town of Harrodsburg.

19. An act for the benefit of Mason Morris, late sheriff of Edmonson county.

20. An act authorizing the county court of levies and disbursements of Rockcastle county to levy an additional capitation and ad valorem tax for the purpose of building a new court-house, clerks' offices, &c., for said county.

21. An act to establish an additional justices' district in Trigg county.

22. An act to amend an act, entitled "An act to authorize the Elliott county court to levy an additional tax for county purposes," approved March 8th, 1870.

23. An act for the benefit of Wm. Lykins, late judge of the Morgan county and quarterly courts.

24. An act to change the time of holding the county and quarterly courts of Letcher county.

25. An act to change the time of holding the county and quarterly courts of Perry county.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st and 4th to the Committee on Revised Statutes and Codes of Practice; the 2d to the Committee on Banks and Insurance; the 3d to the Committee on Library and Public Buildings and Offices; the 5th, 6th, 15th, and 17th to the Committee on Internal Improvement; the 7th, 8th, and 16th to the Committee on the Judiciary; the 9th and 19th to the Committee on Finance, and the 10th, 11th, 12th, 13th, 14th, 18th, 20th, 21st, 22d, 23d, 24th, and 25th to the Committee on Courts of Justice.

The following bills were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Martin, from the Committee on Library and Public Buildings and Offices—

1. A bill to repeal an act concerning public books, and providing for the supply of destitute counties.

By Mr. Campbell, from the Committee on Revised Statutes and Codes of Practice—

2. A bill to amend chapter 28, article 4, Revised Statutes, title "Crimes and Punishments."

By Mr. Conklin, from the Committee on Finance—

3. A bill for the benefit of Harrison Berry, of Nicholas county.

By Mr. Hargis, from the Committee on the Judiciary—

4. A bill for the benefit of Wm. A Byrum, sheriff of Nicholas county.

By same—

5. A bill for the benefit of school district No. 26, in Nicholas county.

By same—

6. A bill to regulate the time of holding circuit courts in the 14th judicial district.

By Mr. Gilbert, from a select committee—

7. A bill to amend section 3, article 3, chapter 100, of the Revised Statutes.

Ordered, That the 2d be printed, and made the special order of the day for the 9th of February; that the 7th be printed, and placed in the orders of the day, and that the 1st, 3d, 4th, 5th, and 6th be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Chelf, from the Committee on Revised Statutes and Codes of Practice—

An act to repeal chapter 1108 of the acts of 1871.

By same—

An act to repeal chapter 1175 of the acts of 1871.

By same—

An act to repeal chapter 1107 of the acts of 1871.

By Mr. Campbell, from the Committee on Revised Statutes and Codes of Practice—

An act to charter the town of Kuttawa, in Lyon county.

By Mr. Gatewood, from the Committee on Revised Statutes and Codes of Practice—

An act to amend an act, entitled "An act to incorporate the town of Smith Grove, in Warren county."

By same—

An act to amend an act, entitled "An act to incorporate the town of Rich Pond, in Warren county."

By Mr. Gatewood, from the Committee on Education—

An act for the benefit of the common school commissioner of Breckinridge county.

By Mr. Chelf, from the Committee on Revised Statutes and Codes of Practice—

An act to amend the charter of the town of Greenupsburg.

By same—

An act to amend the charter of the city of Augusta, in Bracken county.

By Mr. Hargis, from the Committee on the Judiciary—

An act to incorporate the town of Jackson.

With amendments to the last two named bills.

Which were adopted.

Ordered, That said bills, the last two as amended, be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Pope, from the Committee on Banks and Insurance, to whom was referred the amendments proposed by the House of Representatives to bills, which originated in the Senate, of the following titles, viz:

An act to amend the charter of the Bank of Kentucky;

An act to incorporate the Bank of Commerce of Louisville;

Reported the same, with the expression of opinion that said amendments should be concurred in.

And the question being taken thereon, it was decided in the affirmative.

A message was received from the Governor by Mr. Botts, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act for the benefit of the Maysville and Lexington Railroad Company, Northern Division.

An act for the security of persons furnishing labor or materials in the construction or repairs of railroads, turnpike, and gravel roads.

An act to amend section 6, article 6, chapter 32, title "Elections," of the Revised Statutes.

An act to amend an act, approved February 10th, 1866, entitled "An act to exempt homesteads from sale for debt."

An act to amend section 4 of article 2, of chapter 83, of the Revised Statutes.

An act to amend chapter 28 of the Revised Statutes, title "Crimes and Punishments."

An act for the benefit of Isabella Oxley, of Rowan county.

An act authorizing the county court of Nicholas county to purchase any interest, right, or franchise in and to turnpike roads in said county.

An act to regulate the sale of spirituous and vinous liquors in Uniontown and Caseyville.

An act to amend an act, entitled "An act to provide for the organization and regulation of incorporated companies, except banking, insurance, and railroad companies," approved March 15th, 1871.

An act authorizing the clerk of the Nelson county court to make a cross-index to deeds in his office, and transcribe the marriage registers in said office.

An act to amend an act, entitled "An act to establish a colored school in the city of Henderson."

An act to authorize the Auditor of Public Accounts to audit and settle certain claims of sheriffs of this Commonwealth for conveying convicts to the Penitentiary of this State.

An act to incorporate the Louisville Car Wheel and Railway Supply Company.

An act to amend the charter of the Bowling Green Water-works Company.

An act to repeal an act, entitled "An act to incorporate the Ludlow Turnpike Company."

An act to amend the charter of the town of Mayfield.

An act to amend the charter of the town of Carlisle, in Nicholas county.

An act to amend section 5, article 2, chapter 83, of the Revised Statutes, title "Revenue and Taxation."

An act for the benefit of the Mulberry and Consolation Turnpike Road Company, in the county of Shelby.

An act for the benefit of the common school districts in Cumberland county.

An act in relation to the Bardstown and Green River Turnpike Road Company.

An act amending section 1 of an act, approved February 27th, 1860, entitled "An act to incorporate the Eminence Cemetery Company."

An act to amend an act, entitled "An act to provide for the payment of the State debt."

An act to declare Hood's Fork of Blain creek a navigable stream.

An act to amend the laws of evidence in this Commonwealth.

The Speaker laid before the Senate the report of the Commissioners on Fire-proof Public Offices.

Which was taken up and read as follows, viz:

HON. JOHN G. CARLISLE, *Lieutenant Governor and Speaker of the Senate:*

I herewith transmit to the General Assembly, through you, the report of the Commissioners on Fire-proof Public Offices at the city of Frankfort; and I beg to say of General A. W. Dudley, that the principal management, conduct, and success of the enterprise, since March last, while I have been connected with it, have been in his hands; and it affords me pleasure to bear testimony of his constant energy and faithfulness, from first to last, in giving his personal presence and attention to the work. I feel sure he has secured to

the State honest and faithful work, and at cost not unreasonably high. Indeed, his connection with the prosecution of this work the past year has been an absolute necessity, and through his instrumentality and unbending integrity thousands of dollars have been saved to the State. It was with much difficulty I could prevail upon him last spring to consent and act as one of the Commissioners in prosecuting this work; and I trust the General Assembly will see to it that he is paid a liberal compensation for his labor, assistance, skill, and energy so faithfully put forth for the State.

And of the other Commissioner, D. M. Bowen, I would not say less than I have of General Dudley. He has been just as faithful, constant, true, and efficient, but has not bestowed quite so much time; always present and ready, however, when it was necessary; and I recommend that he also be paid well for his services.

It is perhaps my duty—being *ex-officio* Chairman of the old Board of Commissioners, who were directed by the said act of 9th March, 1871, to make up a settlement with those to whom the State was indebted under their administration, and report the same to the new Board of Commissioners—to report, that, in accordance with the directions of said act, the old Board did have various meetings, and within thirty days after the passage of said act brought to the notice of the new Board debts corresponding in amount with that stated in detail in said report. (See Exhibit A.) They failed, however, to make up any settlement with Messrs. Haly, Mahoney & Co., who claimed a balance due them under contract with the old Board within the thirty days mentioned in the act.

Mr. John Haly, the representative of said firm, urged for a settlement of said claim, and I called a number of meetings of said Board for that purpose. They never did all attend at one time; but a majority of them did, and made progress from time to time in trying to make the settlement. They differed among themselves as to how the account stood between Haly and the State. Messrs. Craddock and Dudley claiming that Haly was indebted to the State, while others of the Commissioners held that the State was indebted to Haly. After much effort and frequent meetings, Dudley and Craddock resigned, and refused to further act as Commissioners of the old Board. The other Commissioners, to-wit, Dr. Hugh Rodman, Dr. N. Green, Geo. W. Anderson, Dr. E. D. Standeford, S. I. M. Major, and J. W. H. Reynolds, proceeded and made a settlement with Mr. Haly, closing it up in September, and finding a balance

due him of $8,834 66. If that sum, or any other sum, is due Mr. Haly, some provision should be made for its payment.

Respectfully,

P. H. LESLIE.

The undersigned, Commissioners under the act of the Legislature, approved 9th March, 1871, entitled "An act providing for the completion of the Fire-proof Offices in the city of Frankfort," submit the following report:

At the end of thirty days after the approval of said act the old Board of Commissioners reported to us, as outstanding debts contracted by them in the erection of said building, the amount of $13,650 51, for which sum we have drawn our warrants and recognized drafts of theirs in favor of various individuals, as directed by said old Board, upon the Auditor of Public Accounts, and a list of which we append to this report. (See Statement A.) There was then left for our expenditure in completing the apartments and Fire-proof Offices $41,349 49, as directed in fourth section of that act. We employed an Architect and Superintendent, C. S. Mergell, at two hundred and fifty dollars per month, beside an assistant for a short time to aid in preparing plans, specifications, and estimates to guide us in the undertaking. Our object was, and we so instructed the Architect, to combine strength, durability, and order in the structure, to remedy the many defects in the interior, and especially in the basement of the building. In view of the necessity of much repairing being needed, and not being able to very clearly understand its extent, we determined upon its execution by the employment of journeymen and day labor, as the cheapest and most certain means of its faithful completion. In this branch of the work many openings were filled, arches pulled down and rebuilt, weak and falling walls reconstructed, with hammer-dressed stone, hard brick, and water cement. This work was an absolute necessity before we dare progress further. We had it done, and well done. For this work, and some other day labor, we made an arrangement to get the money upon our drafts of the Farmers' Bank, and paid up all the laborers.

We then proceeded to let out the various classes of work, with the view to completion of the offices. Our plan was to receive, after advertising, sealed bids, reserving the right to reject all if we saw proper. We succeeded in closing up contracts in writing for each department of the work, and the undertakers have each and all, we are gratified to say, completed and finished their contracts in first-

rate and satisfactory style, except the plastering and painting, neither of which is yet finished, on account of the cold weather. The chief design has been to give strength to basement; reconstruct fallen and defective walls; pull down and reconstruct arches; finish exterior; complete basement and first story, to render it tenantable; put up one stairway; place brick arches on the iron beams in first and second floors, properly grouted and sanded; place corrugated iron on third and fourth tiers of beams (except Senate Chamber); lay the three floors with tile and plank; reconstruct gallery; build cistern, with tank, pump, pipes, and drainage; introduce gas into each apartment; furnish vaults and marble mantles; paint, varnish, and plaster, &c., &c. The basement is complete, and all the rooms upon the first floor are ready for occupation, lacking only some gas fixtures and office furniture. We call your personal attention and inspection of all this work.

We append hereto a detailed statement (B), showing the various drafts we have drawn upon the Auditor to pay for this work, including that for day labor, amounting to $40,315 64, besides $725 yet to be paid, when contracts for plastering and painting are done, which leaves of the money placed under our charge $308 85 yet unspent. It was a fixed purpose with us to not expend more than was placed under our control. Each and every man employed by us, or from whom material was bought, has been paid, except that for the plastering and painting, which is unfinished, and for that there is a balance held back under the contract which will not be paid till the work is done; yet that balance is included in the above aggregate amount of our expenditure

One of this Board of Commissioners, to-wit, A. W. Dudley, has been with all this work, giving it his personal attention, and overseeing Architect, contractors and hands, all the time since about 1st May last; and the other Commissioner, D. M. Bowen, has given considerable time also to its attention. Both Commissioners and the Governor have concurred and agreed in all the contracts, conduct, and management of the work.

The account therefor stands thus:

Amount appropriated		$55,000 00
Drafts drawn on account of debts of old Board	$13,650 51	
Drafts drawn in prosecution of work by us	40,315 64	
Amount to be paid for remnant of plastering and painting, when done, according to contract	725 00	
		54,691 15
Leaving unexpended		$308 85

It is proper for us to say, that there has come to our hands two notes on H. I. Todd, amounting, with interest to this time, to about $578. They are the property of the State, having been executed, as we are advised, for some material of the old buildings taken down and sold by the former Commissioners in the beginning of this work.

So the State has the remainder of the appropriation placed at our disposal, as hereinbefore shown	$308 85
Amount of Todd's notes	578 00
	$866 85

Which may be used in the further prosecution of the work.

We made close contracts with each one of the undertakers, and required each to comply strictly with his contract. Mr. Merz, who undertook and has so faithfully executed the iron work, informs us that in his contract he finds, upon a calculation, since its execution, he has lost about fifteen hundred dollars; and several of the other undertakers claim that they, too, have lost largely on their contracts. We paid them all we promised, and everything they were entitled to under their contracts (as they all admit); and we have no authority or means to pay them more.

This enterprise having progressed to a point worthy more than ever of the attention of the Legislature, it may not be improper for us to state something of the work yet to be done, in order to put in use the entire building. A street tubular sewer, leading to the river or to the State Penitentiary sewer, is necessary to carry off the washings now to be emptied into the street. The eastern portico contemplated under the original plan remains untouched. A small engine and boiler, with pipes and fixtures, will be necessary to equalize the temperature of about thirty thousand cubic yards of space within the building, to render it comfortable in winter and admit of a free use of the water attachments. The openings to the entire building are closed and floors laid, but the balance of the second and third stories is unfinished. As to how much it will cost to complete the entire building of course will depend upon the style in which it shall be determined to have it done; but from estimates we have had rendered by the Architect, it will require from forty-five to fifty-five thousand dollars to finish the whole interior and other attachments of the building.

We have on file a full report from the Architect, as well as a voucher for every cent of money paid out; all which are subject to the inspection or command of the General Assembly.

P. H. LESLIE, *Ch'n*,
A. W. DUDLEY,
D. M. BOWEN.

JANUARY 30, 1872.

(A.)

OLD BOARD.

DETAILED STATEMENT *of the debt of the Old Board of Ten Commissioners, for State Fire-proof Offices, paid by the New Board, January 28th*, 1872.

1871.				
June	6.	Per Governor Leslie, Chairman, draft No. 3, to H. Whitestone		$200 00
June	19.	Per Governor Leslie, Chairman, draft No. 4, to Courier-Journal, printing		87 50
June	19.	Per Governor Leslie, Chairman, draft No. 105, to J. Haly, issued by P. Swigert, held by Bank of Kentucky, recognized and indorsed by New Board		573 13
July	1.	Per draft No. 7, on Auditor, New Board, to C. S. Mergell, superintendent, for service to Old Board in March, 1871,		250 00
July	8.	Per draft No. 9, of New Board, to G. W. Craddock, auditor of the accounts of Haly, Mahoney & Co., for Old Board,		500 00
July	18.	Per draft No. 12, New Board, to G. W. Anderson, for services to Old Board, as Commissioner		136 50
July	18.	Per draft No. 13, New Board, to E. D. Standeford, for services to Old Board, as Commissioner		147 00
September	30.	Per draft No. 25, New Board, to Faran & McLean, for Old Board, account for printing		60 50
September	30.	Per draft No. 61, issued by Governor Stevenson, Chairman of Old Board, to J. Haly, in hands of A. J. James, attorney, recognized and countersigned by Governor Leslie, Chairman New Board		2,000 00
December	19.	Per draft No. 42, New Board, to E. D. Standeford, for services as Commissioner of the Old Board		63 00
December	19.	Per draft No. 41, New Board, to G. W. Anderson, for services as Commissioner for Old Board		39 00
1872.				
January	1.	The $10,000 loan in December, 1870, to four of the Commissioners of the Old Board, was thus arranged: $5,000 was loaned by each, the Bank of Kentucky and Farmers' Bank.		
January	1.	A New Board draft No. 52, issued to the Bank of Kentucky 1st January, 1872, with interest: of principal	$4,762 00	
		Accumulated interest on $5,000 note	314 40	
				5,076 40
		Thus taking up the $5,000 note, and the drafts of the Old Board as collaterals.		
		No. 99, J. Haly, $2,500; No. 100, J. Haly, $2,000; No. 108, Mergell, 262.		
January	1.	A draft No. 51, of New Board, issued to the Farmers' Bank of Kentucky, for balance due them: principal	$4,450 40	
		Accumulated interest on $5,000 loan	289 48	
			$4,739 88	
		Less this amount charged to New Board for copper wire cord from Robling's Sons,	222 40	
				4,517 48
		Thus discharging the $5,000 note, and the collateral drafts of the Old Board held by bank, viz: No. 101, Boilieu & Co., $1,000; No. 102, C. S. Mergell, $272; No. 103, J. Haly, $1,800; No. 104, J. Haly, $200; No. 95, C. S. Mergell, $278; No. 107, Boilieu & Co., 416; No. 106, C. S. Mergell, $262.		
January	8.	Total amount of Old Board debt		$13,650 51

(B.)

NEW BOARD.

STATEMENT *of the payments made by drafts on the Auditor by the New Board of three Commissioners for Expenditures in finishing Fire-proof Offices, up to the 28th January*, 1872.

1871.			
May	1.	For draft No. 1, to J. Andrewartha, per act	$100 00
May	1.	For draft No. 2, to D. J. Thomas, per act	100 00
June	16.	For draft No. 5, day labor, to C. S. Mergell, Superintendent,	1,524 20
June	23.	For draft No. 6, to Flinn & Leonard, cut stone	164 00
July	23.	For draft No. 8, to A. G. Brawner, for brick	1,009 00
July	15.	For draft No. 10, day labor, to C. S. Mergell, Superintendent,	2,148 85
July	15.	For draft No. 11, to H. G. Banta, painting roof, &c.	443 76
August	26.	For draft No. 14, day labor, per C. S. Mergell, Superintendent	1,593 92
August	26.	For draft No. 15, to A. G. Brawner, for brick and lime	315 87
August	26.	For draft No. 16, to Flinn & Leonard, cut stone	140 00
August	29.	For draft No. 17, to G. W. Blair, cistern, filter, and pipes	650 00
September	2.	For draft No. 18, to Butler & Wright, on contract plastering	500 00
September	2.	For draft No. 19, to M. E. Jett, account contract carpentering	1,000 00
September	8.	For draft No. 20, to C. S. Mergell, account wages Superintendent	500 00
September	15.	For draft No. 21, to Flinn & Leonard, account contract cut stone	900
September	16.	For draft No. 22, to J. G. Dudley & Bro., for lumber	451 70
September	22.	For draft No. 23, to F. W. Merz, account contract iron work	4,000 00
September	24.	For draft No. 24, for day labor, per C. S. Mergell, Superintendent	670 44
September	30.	For draft No. 26, to Butler & Wright, account contract plastering	650 00
October	12.	For draft No. 27, to Robert Biggs, on contract plumbing and gas	1,200 00
October	24.	For draft No. 28, to M. E. Jett, account contract carpentering	1,500 00
November	2.	For draft No. 29, to Sullivan & Wright, on contract painting	375 00
November	3.	For draft No. 30, F. W. Merz, on account contract iron	1,200 00
November	4.	For draft No. 31, day labor, to C. S. Mergell, Superintendent	699 45
November	4.	For draft No. 32, to Flinn & Leonard, in full contract cut stone	378 00
November	4.	For draft No. 33, to Butler & Wright, on account contract plastering	500 00
November	24.	For draft No. 34, to M. E. Jett, on account contract carpentering	580 00
November	25.	For draft No. 35, to M. E. Jett, for additional carpentering,	1,546 87
November	25.	For draft No. 36, to Robert Biggs, in full contract gas and plumbing	1,338 00
November	28.	For draft No. 36½, to G. W. Owen, for copper rope of Robling's Sons, a check on Farmers' Bank, part $5,000 loan	222 40
December	2.	For draft No. 37, to M. Muldoon & Co., in full marble mantels, &c.	1,167 25
December	2.	For draft No. 38, to C. S. Mergell, superintending Architect, account wages	1,000 00
December	7.	For draft No. 39, to Sullivan & Wright, account contract painting	187 50
December	18.	For draft No. 40, F. W. Merz, account contract iron, &c.	1,000 00
		Amount carried forward	$29,756 21

1872.		Amount brought forward	$29,756 21
January	5.	For draft No. 43, to Star Glass Company, plate glass, &c.	3,170 00
January	5.	For draft No. 44, to J. W. South, iron, &c.	158 11
January	5.	For draft No. 45, to W. Cavanaugh, sundries account	649 36
January	5.	For draft No. 46, to Sullivan & Wright, on contract, $225 50; additional bill, $168 10	393 60
January	5.	For draft No. 47, to Louisville Ledger, account printing	32 40
January	6.	For draft No. 48, to C. S. Mergell, Superintendent and Architect, in full to date for day labor and material sold bank	682 35
January	8.	For draft No. 49, to M. A. Jones, for city gas attachment	112 00
January	8.	For draft No. 50, to C. S. Mergell, for his services as Architect and Superintendent, in full to date	1,091 66
January	8.	Amount of New Board drafts to date	$36,045 69
		Add drafts drawn since 8th January, 1872:	
January	11.	For draft No. 53, to F. W. Merz, contract and extra	1,902 00
January	13.	For draft No. 54, to M. E. Jett, contract, off deductions	1,050 80
January	13.	For draft No. 55, to M. E. Jett, for extra carpenter's work	737 15
January	26.	For draft No. 56, to Hall & Co., repair of vault lock	30 00
January	26.	For draft No. 57, to Oscar Seeley, gas attachments to Governor's apartments	550 00
January	26.	Amount New Board expenditures	$40,315 60
		Balance to be drawn when plastering and painting shall be completed	725 00

LIST *of contracts made by the new Board of Commissioners for Fire-proof Offices, with payments made and due to January 28th*, 1872.

1871.	CONTRACTORS.	Amount contracts.	Payments.	Unpaid.
September 14.	M. Muldoon & Co., marble mantels	$1,167 25	$1,167 25	
September 15.	Star Glass Company, plate glass	3,170 00	3,170 00	
August 29.	Sullivan & Wright, paint and varnish	1,181 10	956 10	$225 00
June 16.	F. W. Merz, iron stairs, &c.	7,999 00	6,200 00	*1,799 00
June 16.	M. E. Jett, carpenter, on contract	4,250 00	3,084 00	*1,166 00
November 1.	M. E. Jett, carpenter, additional	1,546 87	1,546 87	
June 16.	Flinn & Leonard, cut stone	1,278 00	1,278 00	
June 16.	J. G. Banta, painting roof	443 76	443 76	
July 7.	A. G. Brawner, brick	1,009 00	1,009 00	
July 19.	Robert Biggs, plumbing and gas	2,538 00	2,538 00	
July 15.	Dudley & Bro., lumber	451 70	451 70	
	W. Cavanaugh, lime and sundries	649 86	649 86	
	J. W. South, iron work	158 11	158 11	
August.	G. W. Blair, cistern and pipes	650 00	650 00	
September 8.	Butler & Wright, plastering	2,150 00	1,650 00	500 00
1872.				
January 8.	C. S. Mergell, Architect and Sup't	2,591 66	2,591 66	
		$31,233 81	$27,543 81	$3,690 00
	DAY LABOR.			
1871.				
June 16.	C. S. Mergell, Superintendent, for day labor and material	$1,524 20	$1,524 20	
July 15.	C. S. Mergell, Superintendent, for day labor and material	2,148 85	2,148 85	
August 24.	C. S. Mergell, Superintendent, for day labor and material	1,593 92	1,593 92	
September 24.	C. S. Mergell, Superintendent, for day labor and material	670 44	670 44	
November 4.	C. S. Mergell, Superintendent, for day labor and material	699 45	699 45	
1872.				
January 6.	C S. Mergell, Superintendent, for day labor and material	682 35	682 35	
	For day labor, material, &c. (cash drafts)	$7,319 21	$7,319 21	

* Since paid.

LIST OF DRAFTS.

A LIST *of all Drafts issued by the New Board for Fire-Proof Offices, Governor P. H. Leslie, Chairman, up to the 28th January,* 1872.

1870.	No.		
May.	1.	To J. Andrewartha, per act, New Board	$100 00
May.	2.	To D. J. Thomas, per act, New Board	100 00
June 6.	3.	To H. Whitestone, Architect, Old Board	200 00
June 19.	4.	To Courier-Journal, Old Board	87 50
June 16.	5.	To day labor, to C. S. Mergell, Architect, New Board	1,524 20
June 23.	6.	To Flynn & Leonard, stone cutting, New Board	164 00
July 1.	7.	To C. S. Mergell, Superintendent, Old Board	250 00
July 1.	8.	To A. G. Brawner, brick, New Board	1,009 00
July 8.	9.	To G. W. Craddock, as auditor account, Old Board	500 00
July 15.	10.	To day labor, to C. S. Mergell, Superintendent, New Board	2,148 85
July 15.	11.	To H. G. Banta, painting, New Board	443 76
July 18.	12.	To G. W. Anderson, as Commissioner, Old Board	136 50
July 18.	13.	To E. D. Standeford, as Commissioner, Old Board	147 00
August 24.	14.	To day labor, C. S. Mergell, Superintendent, New Board	1,593 92
August 25.	15.	To A. G. Brawner, brick and lime, New Board	315 87
August 26.	16.	To Flynn & Leonard, cut stone, New Board	140 00
August 29.	17.	To G. W. Blair, cistern, &c., New Board	650 00
September 2.	18.	To Butler & Wright, plastering, New Board	500 00
September 2.	19.	To M. E. Jett, carpentering, New Board	1,000 00
September 8.	20.	To C. S. Mergell, services Superintendent, New Board,	500 00
September 15.	21.	To Flynn & Leonard, cut stone, &c., New Board	900 00
September 16.	22.	To J. G. Dudley & Bro., lumber, New Board	451 70
September 22.	23.	To F. W. Merz, iron contract, New Board	4,000 00
September 24.	24.	To day labor, to C. S. Mergell, Superintendent, New Board	670 44
September 30.	25.	To Faran & McLean, printing, Old Board	60 50
September 30.	26.	To Butler & Wright, plastering, New Board	650 00
October 12.	27.	To Robert Biggs, plumbing and gas, New Board	1,200 00
October 16.	28.	To M. E. Jett, carpentering, New Board	1,500 00
November 2.	29.	To Sullivan & Wright, painting, New Board	375 00
November 3.	30.	To F. W. Merz, iron, New Board	1,200 00
November 4.	31.	To day labor, &c., C. S. Mergell, Superintendent, New Board	699 45
November 4.	32.	To Flynn & Leonard, cut stone contract, &c., New Board	378 00
November 4.	33.	To Butler & Wright, account plastering contract, New Board	500 00
November 24.	34.	To M. E. Jett, account contract carpentering, New Board	580 00
November 25.	35.	To M. E. Jett, account additional carpentering, New Board	1,546 87
November 25.	36.	To Robert Biggs, in full contract plumbing, &c., New Board	1,338 00
December 2.	37.	To M. Muldoon & Co., in full mantel contract, New Board	1,167 25
November 28.		To Robling's Sons, cheek Farmers' Bank for copper wire cord	242 00
November 2.	38.	To C. S. Mergell, Superintendent, account his wages, New Board	1,000 00
November 7.	39.	To Sullivan & Wright, account painting, New Board	187 50
November 18.	40.	To F. W. Merz, account iron stairway, &c., New Board	1,000 00
December 19.	42.	To E. D. Standeford, for services as Commissioner, Old Board	63 00
December 19.	41.	To G. W. Anderson, for services as Commissioner, Old Board	39 00
		Amount carried forward	$31,017 31

roof Offices,
y, 1872.

$100 00
100 00
200 00
87 50
1,524 20
164 00
250 00
1,009 00
500 00

2,148 85
443 76
136 50
147 00

1,593 92
315 87
140 00
650 00
500 00
1,000 00
500 00
900 00
451 70
4,000 00

670 44
60 50
650 00
1,200 00
1,500 00
375 00
1,200 00

699 45

378 00

500 00

580 00

1,546 87

1,338 00

1,167 25

242 00

1,000 00
187 50

1,000 00

63 00

39 00

$31,017 31

			Amount brought forward	$31,017 31
1872.				
January	5.	43.	To Star Glass Company, plate glass, New Board	3,170 00
		44.	To J. W. South, iron work, New Board	158 11
		45.	To W. Cavenaugh, sundries supplies, New Board	649 36
		46.	To Sullivan & Wright, painting, New Board	393 60
		47.	To Louisville Ledger, printing, New Board	32 40
		48.	To C. S. Mergell, labor and supplies, New Board	682 35
		49.	To M. A. Jones, gas attachment, New Board	112 00
		50.	To C. S. Mergell, in full to 6th January, 1872, inclusive, New Board	1,091 66
		51.	To Farmers' Bank of Kentucky for Old Board	4,739 88
		52.	To Bank of Kentucky for Old Board	5,076 40
January	8.		Total of all drafts issued for New and Old Boards to date	$47,123 07
			Add since date above—	
		53.	To F. W. Merz, for contract and extra work, New Board	1,902 00
		54.	To M. E. Jett, for balance contract, and with deduction, New Board	1,050 80
		55.	To M. E. Jett, bill of extra work, New Board	737 15
		56.	To Hall & Co., for repair safe lock, New Board	30 00
		57.	To Oscar Seeley, gas fixtures to Governor's apartments, New Board	550 00
			Total drafts drawn	$51,393 02
January	27.		Old Board draft No. 61, drawn by Gov. Stevenson to Haly, recognized and paid by New Board (see statement A)	2,000 00
			Old Board draft No. 105, drawn by P. Swigert to Haly, held by Bank, and recognized and paid by New Board (see statement A)	573 13
				$53,966 15
			Drafts yet to be drawn for balance of painting and plastering when done	725 00
				$54,691 15

Ordered, That said report be printed, and referred to the Committee on Library and Public Buildings and Offices.

On motion of Mr. Duvall, leave of indefinite absence was granted to Mr. Talbott.

Leave was given to bring in the following bills, viz:

On motion of Mr. Talbott—

1. A bill to amend an act, entitled "An act to incorporate the Odd Fellows' Widows' Home and Orphans' University," approved January 11th, 1868.

On motion of Mr. Haggard—

2. A bill for the benefit of A. T. Kerr, sheriff of Cumberland county.

On motion of Mr. Gilbert—

3. A bill for the benefit of the city of Paducah.

On motion of same—

4. A bill to amend the charter of the city of Paducah.

On motion of Mr. Vories—

5. A bill to amend the charter of the Newcastle and Eminence Turnpike Road Company.

On motion of same—

6. A bill to charter the Westport, Carrollton, and Ghent Railway Company.

Ordered, That the Committee on Charitable Institutions prepare and bring in the 1st; the Committee on Claims the 2d; the Committee on Revised Statutes and Codes of Practice the 3d and 4th; the Committee on Internal Improvement the 5th, and the Committee on Railroads the 6th.

And then the Senate adjourned.

THURSDAY, FEBRUARY 1, 1872.

A message was received from the House of Representatives, announcing that they had passed bills of the following titles, viz:

1. An act to amend an act re-establishing the court of common pleas in Hickman county, in the 1st judicial district.

2. An act to incorporate Adams Lodge, No. 188, Independent Order of Odd Fellows, of the State of Kentucky.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st to the Committee on Courts of Justice, and the 2d to the Committee on the Judiciary.

The following remonstrances and petition were presented, viz:

By Mr. Conklin—

1. The remonstrance of sundry citizens of the Bridgeport precinct, remonstrating against the passage of an act proposing to prohibit the sale of spirituous, vinous, or malt liquors in said precinct.

By Mr. Whitaker—

2. The petition of the councilmen and other citizens of Maysville, asking an amendment of the city charter.

By Mr. Vories—

3. The remonstrance of sundry citizens of Oldham county, living in the Goshen precinct, remonstrating against the imposition of a tax to construct a turnpike road in said precinct.

Which remonstrances and petition were received, the reading dispensed with, and referred—the 1st to the Committee on Religion and Morals; the 2d to the Committee on the Judiciary, and the 3d to the Committee on Internal Improvement.

Leave was given to bring in the following bills, viz:

On motion of Mr. Cockrill—

1. A bill for the benefit of Zadock Kidd and Harvey Hall, securities of W. Frank Crawford, late school commissioner of Powell county.

On motion of Mr. Gilbert—

2. A bill to amend section 80 of the Civil Code of Practice.

On motion of Mr. Haggard—

3. A bill to better define the county lines between the counties of Cumberland, Monroe, Adair, and Clinton.

On motion of same—

4. A bill to authorize C. L. S. Matthews, of Cumberland county, to make entries and surveys in the counties of Monroe, Adair, Metcalfe, and Clinton, under certain conditions and restrictions.

On motion of same—

5. A bill to better dispose of the vacant lands in this Commonwealth.

On motion of Mr. Standeford—

6. A bill to amend the charter of the Kentucky Life Insurance Company.

On motion of same—

7. A bill to amend the charter of the People's Bank.

On motion of same—

8. A bill to amend section 29 of chapter 103, of the Revised Statutes, entitled "Turnpikes and Plank Roads."

On motion of Mr. Haggard—

9. A bill to increase the fees of collectors of taxes on lands forfeited for non-payment of taxes on the same.

Ordered, That the Committee on Education prepare and bring in the 1st; the Committee on Revised Statutes and Codes of Practice the 2d and 8th; the Committee on Propositions and Grievances the 3d; the Committee on the Judiciary the 4th, 5th, and 9th, and the Committee on Banks and Insurance the 6th and 7th.

Mr. Chelf, from the Committee on Revised Statutes and Codes of Practice, reported a bill, entitled

A bill to repeal all laws heretofore passed declaring Russell's creek, in Green county, a navigable stream.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Webb, from the Committee on Agriculture and Manufactures—

An act to amend the charter of the Cornwall Candle Factory, of Louisville.

By Mr. Wm. Johnson, from the Committee on the Judiciary—

An act for the benefit of Anderson C. Butler, of Breathitt county.

With the expression of opinion that said bills ought not to pass.

And the question being taken separately on ordering each of said bills to be read a third time, it was decided in the negative.

So said bills were disagreed to.

On motion of Mr. Gilbert, leave of indefinite absence was granted to Mr. Campbell.

On motion of Mr. Chelf, Mr. Cooper was added to the Committee on Revised Statutes and Codes of Practice.

On motion of Mr. Whitaker, leave of indefinite absence was granted to Mr. Frazer.

The Senate, according to order, took up for consideration a bill, entitled

A bill to establish a Bureau of Immigration and Labor.

On motion of Mr. Pope,

Ordered, That the further consideration of said bill be postponed, and it be made the special order of the day for Thursday, the 8th inst.

The Senate also, according to order, took up for consideration a bill, entitled

A bill to change the time of convening the General Assembly of Kentucky.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the next regular session of the General Assembly of Kentucky shall convene on the day of , 1873, and on the day of every second year thereafter.

§ 2. That all laws in conflict with this act are hereby repealed; and this act shall take effect from its passage.

Mr. Gilbert then moved to amend said bill by substituting in lieu thereof the following, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That hereafter the stated bienniel meetings of the General Assembly of the Commonwealth of Kentucky shall commence on the last day

of December, except when that day falls on Sunday, and then they shall commence on the day preceding.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Haydon and Hale, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	Jesse C. Gilbert,	A. L. Martin,
James B. Casey,	D. R. Haggard,	Alfred T. Pope,
W. H. Chelf,	H. S. Hale,	E. D. Standeford,
Wm. L. Conklin,	Thomas F. Hargis,	A. G. Talbott,
John E. Cooper,	J. B. Haydon,	W. L. Vories,
F. W. Darby,	G. A. C. Holt,	Ben. J. Webb—19.
W. W. Frazer,		

Those who voted in the negative, were—

G. W. Connor,	Edwin Hawes,	K. F. Prichard,
J. H. Dorman,	William Johnson,	Emery Whitaker—7.
W. McKee Fox,		

Ordered, That said bill, as amended, be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be amended to read,

An act to change the time of meeting of the General Assembly.

The Senate took up for consideration a bill, entitled

A bill to amend an act, entitled "An act to amend chapter 15, title 10, Civil Code of Practice," approved March 16th, 1869.

On motion of Mr. Hargis,

Ordered, That said bill have its third reading on Monday, the 7th inst.

The Senate took up for consideration the motion heretofore made to reconsider the vote by which the Senate had disagreed to the passage of a bill, which originated in the House of Representatives, entitled

An act to incorporate Bourbon Building and Savings Association, of Paris.

And the question being taken on reconsidering said vote, it was decided in the negative.

So said bill was again disagreed to.

The Senate took up for consideration their disagreement to the passage of a bill, which originated in the House of Representatives, entitled

An act to incorporate the Bourbon Female College.

And the question being taken on reconsidering said vote, it was decided in the negative.

So said bill was again disagreed to.

The Senate took up for consideration the report of the committee appointed by the Board of Sinking Fund Commissioners, in relation to the Bank of Kentucky.

On motion,

Ordered, That said report be referred to the Committee on Sinking Fund

The Senate took up for consideration a bill, entitled

A bill regulating the inspection and selling of tobacco in the city of Louisville.

On motion of Mr. Haggard,

Ordered, That the further consideration of said bill be postponed to, and made the special order of the day for, Monday next, the 5th inst., at 11 o'clock, A. M.

The Senate also took up for consideration the resolution heretofore offered by Mr. Fox, entitled

Resolution in relation to the removal of the Capital.

On motion,

Ordered, That the further consideration of said resolution be postponed to, and made the special order of the day for, Wednesday, the 7th inst.

The Senate took up for consideration the motion heretofore made to reconsider the vote by which the Senate had passed a bill, which originated in the House of Representatives, entitled "An act to amend an act incorporating the Public Library of Kentucky;" as amended in the Senate, which amendment is a repeal of the charter.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Hawes and Wm. Johnson, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	F. W. Darby,	A. L. Martin,
James B. Casey,	W. McKee Fox,	K. F. Prichard,
W. H. Chelf,	W. W. Frazer,	E. D. Standeford,

Harrison Cockrill,	John J. Gatewood,	A. G. Talbott,
G. W. Connor,	Jesse C. Gilbert,	W. L. Vories—17.
John E. Cooper,	D. R. Haggard,	

Those who voted in the negative, were—

Wm. L. Conklin,	Edwin Hawes,	Alfred T. Pope,
J. H. Dorman,	G. A. C. Holt,	Ben. J. Webb,
Thomas F. Hargis,	Wm. Johnson,	Emery Whitaker—9.

On motion, said bill was recommitted to the Committee on Library and Public Buildings and Offices, with instructions to report on or before the 15th inst.

Mr. Cooper, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act to incorporate the Market Street Bank, of Louisville;

An act authorizing the presiding judge of Nicholas county to make further subscriptions to the unfinished turnpike roads in said county;

An act to incorporate the Western German Savings Bank, of Louisville;

An act to amend the charter of the Bank of Kentucky;

And enrolled bills and resolutions, which originated in the House of Representatives, of the following titles, viz:

An act to declare Morgan's creek, in Lawrence county, a navigable stream;

An act to amend the charter of the Owensboro Savings Bank;

An act to amend the charter of the Western Insurance and Banking Company;

An act to amend the charter of the Louisville and Nashville Railroad Company;

An act to legalize certain acts of James W. Staton, late road commissioner of Bracken county;

An act to repeal an act, entitled "An act for the benefit of D. C. Smith, of Barren county;"

An act to provide for appointing an assistant county attorney for the county of Kenton;

An act to amend the charter of the Second German Protestant Benevolent Society, of Louisville;

An act to amend the charter of the city of Paris;

An act revising the charter of the town of New Liberty, in Owen county;

An act to authorize the town of Falmouth to subscribe for turnpike stock;

An act to amend and reduce into one all the acts in regard to the town of Columbia;

Resolution providing for an extension of the session of the present General Assembly;

Resolutions on the death of Hon. T. S. Fish;

And had found the same truly enrolled.

Said bills and resolutions having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Cooper reported that the committee had performed that duty.

Mr. Pope moved to reconsider the vote by which the Senate had discharged the Committee on the Judiciary from the further consideration of a leave to bring in a bill, entitled

A bill to charter the Kentucky Protective Association.

Which motion was simply entered.

Mr. Talbott, from the Committee on Charitable Institutions, reported a bill, entitled

A bill to amend an act, entitled "An act to incorporate the Odd Fellows' Widows' Home and Orphans' University," approved January 11th, 1868.

Ordered, That said bill be printed, and placed in the orders of the day.

And then the Senate adjourned.

FRIDAY, FEBRUARY 2, 1872.

A message was received from the House of Representatives, announcing that they had concurred in the amendments proposed by the Senate to bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend the charter of the town of South Carrollton.

An act to authorize the trustees of the Cincinnati Southern Railway to acquire the right of way, and to extend a line of railway through certain counties in this Commonwealth.

That they had passed bills, which originated in the Senate, of the following titles, viz:

An act to amend the charter of the town of Bowling Green.

An act to change the boundary line of Carroll and Gallatin counties.

That they had passed bills of the following titles, viz:

1. An act to amend the charter of the city of Covington.
2. An act to change the time of holding the McCracken county court of claims.
3. An act for the benefit of V. M. Deweese, of Butler county.
4. An act to amend the charter of the Elizabethtown and Paducah Railroad Company.
5. An act to authorize the county judge of Lincoln county to sell and convey the poor-house property in said county, and reinvest the proceeds.
6. An act for the benefit of Greenup county.
7. An act to incorporate the Henderson Bridge Company.
8. An act to incorporate the Contracting and Building Company.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st to the Committee on the Judiciary; the 2d, 5th, and 6th to the Committee on Courts of Justice; the 3d to the Committee on Finance; the 4th and 8th to the Committee on Railroads, and the 7th to the Committee on Internal Improvement.

A message was also received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to authorize the county court of Meade county to make a levy and pay debts already created by said court.

An act to amend the charter of the Harrison County Agricultural Society.

An act to change the time of holding the quarterly courts in Ballard county.

An act for the benefit of Crittenden county.

An act to authorize the Hancock county court to increase the county levy.

An act for the benefit of Warren county.

An act to amend the charter of the town of Winchester.

An act to enable the county of Madison to subscribe to, and provide means for, an institution of learning in Richmond.

An act to amend an act, entitled "An act revising the charter of the city of Paducah."

An act to prevent the destruction of fish by fish-nets in Cumberland river, within the limits of Trigg county.

An act for the benefit of Thos. Hunt, of Pike county.

An act to amend the charter of the Bank of America, of the city of Louisville.

An act to amend an act for the benefit of the police judge of the town of Hawesville, Hancock county," approved February 10th, 1871.

An act for the benefit of Monroe T. Shellburn, of Ballard county.

An act to authorize the trustees of Louisa to lease portions of the public grade belonging to said town.

An act for the benefit of James D. Hatchitt, of Henderson county.

An act to regulate further the drawing of standing jurors for the Jefferson circuit court.

An act to change the boundary line of the city of Columbus.

An act to amend the charter of the Owensboro and Russellville Railroad.

An act to authorize the Graves county court to sell the old clerks' offices.

An act to repeal an act, entitled "An act to prohibit the sale of ardent spirits in Breathitt county," approved February 7th, 1868.

An act authorizing the sale of lands belonging to St. Teresa's Catholic Church, in Meade county.

An act to amend section 2, article 13, chapter 36, of the Revised Statutes.

An act for the benefit of the Pine Knob Turnpike Company.

An act to amend an act for the benefit of Boone county, approved January 30, 1871.

An act to repeal an act, entitled "An act to amend section 1, article 3, chapter 47, Revised Statutes."

An act to protect fish in Drake's creek, in Simpson county.

An act to amend an act, entitled "An act to prohibit the sale of spirituous, malt, or vinous liquors in Campbellsville," approved March 21st, 1871.

An act to prevent the destruction of fish in the stream of Bank Lick, in Kenton county.

Mr. Hale presented the petition of sundry citizens of Graves county, in relation to freight and fare rates on the Paducah and Gulf Railroad.

Which was received, the reading dispensed with, and referred to the Committee on Education.

Mr. Webb moved to reconsider the vote by which the Senate had disagreed to the passage of a bill, which originated in the House of Representatives, entitled

An act to amend the charter of the Cornwall Candle Factory, of Louisville.

And the question being taken on reconsidering said vote, it was decided in the affirmative.

Ordered, That said bill be recommitted to the Committee on Agriculture and Manufactures.

On motion, indefinite leave of absence was granted to Messrs. Casey and Wrightson.

Mr. Barlow read and laid on the table the following joint resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That when they adjourn on the 26th inst., they will adjourn without day.

On motion, leave was granted to Messrs. Gatewood and John W. Johnson to record their votes in the affirmative on the passage of a bill, entitled

An act to change the time of meeting of the General Assembly.

The following bills were reported from the several committees directed to prepare and bring in the same, viz :

By Mr. Pope, from the Committee on Banks and Insurance—

1. A bill for the benefit of Pearce, Wallingford & Co.

By Mr. Standeford, from the Committee on Internal Improvement—

2. A bill to amend an act, entitled "An act to amend an act, entitled 'An act to incorporate the Jefferson Southern Pond Draining Company,'" approved March 9th, 1868.

By Mr. Haggard, from the Committee on Internal Improvement—

3. A bill to incorporate the Southside Turnpike Road Company.

By Mr. Wm. Johnson, from the Committee on the Judiciary—

4. A bill to amend the charter of the city of Maysville.

By Mr. Prichard, from the Committee on the Judiciary—

5. A bill to authorize T. D. Marcum and M. H. Johns to erect a boom across Wolf creek, in Martin county.

By Mr. Pope, from the Committee on the Judiciary—

6. A bill to amend an act, entitled "An act for the benefit of the estate of Thos. H. Crawford," approved January 13th, 1872.

By Mr. Talbott, from the Committee on Railroads—

7. A bill to incorporate the Westport, Carrollton, and Ghent Railroad Company.

By Mr. Chelf, from the Committee on Revised Statutes and Codes of Practice—

8. A bill to amend the charter of the city of Paducah.

By Mr. John W. Johnson, from the Committee on Religion and Morals—

9. A bill in relation to the sale of spirituous liquors in Owsley county.

By Mr. Chelf, from the Committee on Revised Statutes and Codes of Practice—

10. A bill to amend section 29 of chapter 103, of the Revised Statutes.

By Mr. John W. Johnson, from the Committee on Religion and Morals—

11. A bill to prohibit the sale of spirituous, vinous, or malt liquors in a certain portion of the Bridgeport precinct.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, the 10th was ordered to be printed, and placed

in the orders of the day, and the others were ordered to be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

On motion of Mr. Gilbert,

Ordered, That a message be sent to the House of Representatives, asking leave to withdraw the announcement of their disagreement to the passage of a bill, which originated in the House of Representatives, entitled

An act for the benefit of late clerks, sheriffs, jailers, constables, magistrates, and other officers of this Commonwealth.

After a short time, said bill was handed in at the Clerk's desk.

Said bill was then taken up.

The question was then taken on reconsidering the vote by which the Senate had disagreed to the passage of said bill.

Ordered, That said bill be recommitted to the Committee on Courts of Justice.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Webb, from the Committee on Agriculture and Manufactures—

An act to incorporate the Riverton Iron and Mining Company.

By Mr. Gilbert, from the Committee on Courts of Justice—

An act to legalize certain orders of the Mercer county court.

By same—

An act authorizing the indexing of the order-books of the Mercer county court.

By same—

An act to amend an act, entitled "An act to authorize the Henderson county court to raise money by an ad valorem tax, and issuing bonds," approved February 27th, 1867.

By same—

An act for the benefit of district No. 3, in McLean county.

By same—

An act authorizing the county court of levies and disbursements of Rockcastle county to levy an additional capitation and ad valorem

tax for the purpose of building a new court-house, clerks' offices, &c., for said county.

By same—

An act to amend an act re-establishing the court of common pleas in Hickman county, in the 1st judicial district.

By Mr. Whitaker, from the Committee on Courts of Justice—

An act concerning the county levy and taxation in Livingston county.

By same—

An act to change the time of holding the county and quarterly courts of Perry county.

By same—

An act to change the time of holding the county and quarterly courts of Letcher county.

By same—

An act to amend an act, entitled "An act to authorize the Elliott county court to levy an additional tax for county purposes," approved March 8th, 1870.

By Mr. Standeford, from the Committee on Internal Improvement—

An act to amend the charter of the Newport and Dayton Turnpike Company.

By same—

An act to amend the charter of Dry Creek and Covington Turnpike Company.

By Mr. Haggard, from the Committee on Internal Improvement—

An act to incorporate the Stoner Run and Kentucky River Turnpike Road Company, in Madison county.

By same—

An act to amend an act, entitled "An act to incorporate the Salt Lick, Esculapia, and Mount Carmel Turnpike Road Company."

By same—

An act to amend the charter of the Union and Richwood Turnpike Road Company.

By same—

An act to amend the charter of the Board of Internal Improvement for Anderson county.

By Mr. John W. Johnson, from the Committee on Religion and Morals—

An act prohibiting the vending of ardent, malt, or vinous spirits in the second magisterial district in Mercer county.

By same—

An act to repeal part of an act, entitled "An act to prohibit the sale of intoxicating liquors along the line of certain turnpike roads in Washington county," approved February 24th, 1871.

By same—

An act to prohibit the sale of vinous, spirituous, or malt liquors in Nelson county.

With amendments to the last two named bills.

Which were adopted.

Ordered, That said bills, the last two as amended, be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid, except that the title of the one next to the last be amended to read,

An act authorizing the voters of Mackville precinct, in Washington county, to vote on the proposition whether ardent spirits shall be sold by retail in said precinct.

The Senate took up for consideration a bill, entitled

A bill to empower Franklin county and other counties in the State to suppress disorder and enforce the law.

Said bill reads as follows, viz:

Whereas, It is represented to this General Assembly, by a memorial of certain citizens of Franklin county, that a secretly organized band of outlaws have taken into their hands the supreme administration of law therein, and, disregarding all civil authority, commit *with impunity* crimes against life, liberty, and property; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the county court of Franklin county, and the county court of any other county in this State, be, and they are hereby, authorized and empowered to organize a special police force, of not more than one hundred men, to operate in their respective counties, and pursue criminals to any other county. It shall be the duty of each member of said special police force to arrest and bring to trial any person violating any of the criminal laws of this State; and for that purpose there is hereby conferred on them all the powers that appertain and belong to the peace officers of this Commonwealth.

§ 2. The said special police force may be organized and armed in any manner that the said county court or county courts may deem necessary and proper to effect the purposes of this act, and shall be paid such compensation for their services, out of the county levy of their respective counties, as may be deemed right and sufficient by the county court thereof.

§ 3. Said police force shall, before entering upon the discharge of their duty, each take an oath that they are not members of any unlawful secret organization, and that they will perform their duty faithfully, and according to law.

§ 4. This act shall take effect from and after its passage.

Mr. Wm. Johnson moved to amend said bill as follows, viz:

Amend first section by striking out the word "criminal" in the fifth line, and insert "persons charged with a public offense."

Which was adopted.

Mr. Wm. Johnson then moved to further amend said bill as follows, viz:

Further amend said first section by striking out of the seventh line the words "violating any of the criminal laws of this State," and insert in lieu thereof the following, to-wit: "charged with a public offense."

Which was adopted.

Various amendments were proposed, exempting certain Congressional, Senatorial, and legislative districts, which were adopted.

Mr. Wm. Johnson then moved to amend said bill as follows, viz:

Add to the first section of the bill the following proviso: *Provided* That the provisions of this act shall only apply to the counties of Franklin, Cumberland, and Boyle.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Haggard and Wm. Johnson, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	W. McKee Fox,	John W. Johnson,
W. H. Chelf,	John J. Gatewood,	William Johnson,
Harrison Cockrill,	Jesse C. Gilbert,	A. L. Martin,
Wm. L. Conklin,	D. R. Haggard,	Alfred T. Pope,
G. W. Connor,	H. S. Hale,	K. F. Prichard,
John E. Cooper,	Thomas F. Hargis,	E. D. Standeford,
F. W. Darby,	Edwin Hawes,	W. L. Vories,
J. H. Dorman,	J. B. Haydon,	Ben. J. Webb—25.
William P. Duvall,		

Those who voted in the negative, were—

J. Q. Chenoweth,	A. G. Talbott,	Emery Whitaker—4.
G. A. C. Holt,		

Ordered, That said bill, as amended, be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Pope and Wm. Johnson, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	John J. Gatewood,	A. L. Martin,
W. H. Chelf,	Jesse C. Gilbert,	Alfred T. Pope,
J. Q. Chenoweth,	D. R. Haggard,	K. F. Prichard,
Wm. L. Conklin,	H. S. Hale,	E. D. Standeford,
G. W. Connor,	Thomas F. Hargis,	A. G. Talbott,
F. W. Darby,	Edwin Hawes,	W. L. Vories,
J. H. Dorman,	G. A. C. Holt,	Ben. J. Webb.
Wm. P. Duvall,	John W. Johnson,	Emery Whitaker—26.
W. McKee Fox,	William Johnson,	

Those who voted in the negative, were—

John E. Cooper, J. B. Haydon—2.

Resolved, That said bill do pass, and that the title thereof be amended to read,

An act to empower the counties of Franklin, Cumberland, and Boyle to suppress disorder and enforce the laws.

Mr. John W. Johnson, from the Committee on Religion and Morals, to whom was referred a bill, which originated in the House of Representatives, entitled

An act to incorporate the trustees of the Presbyterian Church of Augusta,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

[*For bill—see Session Acts present session.*]

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Talbott and John W. Johnson, were as follows, viz:

Those who voted in the affirmative, were—

W. H. Chelf,	J. H. Dorman,	John W. Johnson,
J. Q. Chenoweth,	Wm. P. Duvall,	A. L. Martin,
Harrison Cockrill,	D. R. Haggard,	E. D. Standeford,
G. W. Connor,	J. B. Haydon,	A. G. Talbott—14.
John E. Cooper,	G. A. C. Holt,	

Those who voted in the negative, were—

John S. Barlow,	Thomas F. Hargis,	K. F. Prichard,
Wm. L. Conklin,	Edwin Hawes,	W. L. Vories,
F. W. Darby,	Wm. Johnson,	Ben. J. Webb,

W. McKee Fox, Alfred T. Pope, Emery Whitaker—13.
H. S. Hale,

Mr. Wm. Johnson, from the Committee on the Judiciary, to whom had been referred a bill, which originated in the House of Representatives, entitled

An act to incorporate Adams Lodge, No. 188, Independent Order of Odd Fellows, of the State of Kentucky,

Reported the same, with the expression of opinion that said bill ought not to pass.

And the question being taken on ordering said bill to be read a third time, the opinion of the committee to the contrary notwithstanding, it was decided in the negative.

So said bill was disagreed to.

Leave was given to bring in the following bills, viz:

On motion of Mr. Cockrill—

1. A bill to change the time of holding the quarterly courts in Estill county.

On motion of Mr. Hale—

2. A bill to amend an act, entitled "An act to change the time of holding the circuit courts in the first judicial district," approved February 22d, 1871.

On motion of Mr. Connor—

3. A bill concerning the advertisement of sheriffs' and commissioners' sale of real estate in Clark and Montgomery counties.

On motion of Mr. Gilbert—

4. A bill to regulate police courts in Birmingham, Marshall county.

On motion of Mr. Hargis—

5. A bill to incorporate the Carlisle Male and Female Institute.

On motion of same—

6. A bill for the benefit of East Union and Lower Blue Lick districts, in Nicholas county.

On motion of same—

7. A bill to amend the charter of the Carlisle and Jackstown Turnpike Road Company, in Nicholas county.

On motion of same—

8. A bill to regulate tolls on the Licking river bridge at Lower Blue Licks.

Ordered, That the Committee on Courts of Justice prepare and bring in the 1st, and the Committee on the Judiciary the 2d, 3d, 4th, 5th, 6th, 7th, and 8th.

Mr. Cooper, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act to authorize the Cumberland county court to levy an additional poll and ad valorem tax for county purposes;

An act to legalize the action of the Cumberland county court in the sale of the old jail in said county;

An act regulating the time of holding the quarterly courts in Nicholas county;

An act to create the office of auditor for Warren county;

An act to authorize the county court of Green county to issue bonds and levy a tax for certain purposes;

And enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to repeal an act, entitled "An act to amend the charter of the town of Lancaster," approved March 11th, 1870;

An act for the benefit of the executors of James P. Mitchell, deceased;

An act to amend the town charter of Lebanon;

An act for the benefit of all persons owning land binding on that part of Mann's Lick road, alias Saratoga street, alias Pope street, between Broadway, in the city of Louisville, and its intersection with Rothwell street;

An act for the benefit of John Goodin, commissioner of common schools for Josh Bell county;

An act for the benefit of White Sulphur school district, in Scott county;

An act to legalize the action of the Commissioners of the Sinking Fund of Marion county, in relation to the sale of Louisville and Nashville Railroad stock, and other matters pertaining thereto;

An act to amend an act, entitled "An act to incorporate the town of Frenchburg, in Menifee county;"

An act to incorporate the town of Martinsburg, in Elliott county;

An act creating a lien on property for erection of gas lamp-posts in the city of Paducah;

An act to amend an act, entitled "An act to incorporate the town of Sonora, in Hardin county;"

An act for the benefit of St. Joseph's Industrial School for Boys, in the city of Louisville;

An act for the benefit of Lark Howard, of Magoffin county;

An act to extend the corporate limits of the town of Paradise, in Muhlenburg county;

An act to amend an act revising the charter of the city of Paducah, Kentucky, approved February 11th, 1871;

An act to amend the charter of the Richmond, Union Meeting-house, and Kentucky River Turnpike Road Company;

An act to provide for the improvement of the public roads in Butler county;

An act to amend an act, entitled "An act to amend the charter of the Covington and Lexington Turnpike Road Company;"

An act to amend the charter of the Independence and Big Bone Turnpike Road Company;

An act incorporating the Beech Fork and Simpson Creek Turnpike Road Company;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Cooper reported that the committee had performed that duty.

And then the Senate adjourned.

SATURDAY, FEBRUARY 3, 1872.

A message was received from the House of Representatives, announcing that they had passed bills, which originated in the Senate, of the following titles, viz:

An act to prohibit the sale of spirituous, vinous, or malt liquors within one mile of Richland school-house, in Mason county.

An act to incorporate the Western Tobacco Bank and Ware-house Company.

An act to incorporate the Uniontown, Princeton, and Southern Railroad Company.

With amendments to the last two named bills.

Which amendments were taken up, twice read, and concurred in.

That they had passed bills of the following titles, viz :

1. An act to amend an act, entitled "An act to incorporate the Cottage Furnace and Iron Manufacturing Company, in Estill county."

2. An act to amend an act, entitled "An act to incorporate the Red River Iron Manufacturing Company."

3. An act to amend an act incorporating the Paris, Georgetown, and Frankfort Railroad Company," approved March 23d, 1871.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st and 2d to the Committee on Agriculture and Manufactures, and the 3d to the Committee on Railroads.

A message was also received from the House of Representatives, announcing that they had adopted a resolution, entitled

Resolution in regard to the Public Buildings.

Which was taken up, twice read, and concurred in.

A message was also received from the House of Representatives, announcing that they had concurred in the amendment proposed by the Senate to a resolution, which originated in the House of Representatives, of the following title, viz:

Resolution providing for an examination of the charitable institutions of the State.

And that the Speaker of the House of Representatives had appointed upon said committee Messrs. Jessee, Anderson, and T. M. Johnson.

Whereupon the Speaker of the Senate appointed Messrs. Talbott and Standeford to act upon said committee, in conjunction with the committee from the House of Representatives.

The Speaker laid before the Senate the following communication, in relation to the improvement of the Penitentiary:

To the General Assembly:

Your Commissioners, appointed by an act approved March 13, 1871, appropriating twenty-eight thousand three hundred and eleven dollars ($28,311) for the purpose of constructing a block of warehouses, four in number, for the use of the Penitentiary, beg leave to submit the following report to your honorable body:

In pursuance to the provisions of said act we employed a competent architect to furnish a suitable plan and specifications for the construction of the warehouses provided for; and after advertising the letting of the same, as required by the terms of said act, Col. J. W. South, being the lowest and best bidder, was awarded the contract for constructing said warehouses at the sum of twenty-two thousand three hundred and sixty dollars and sixty-three cents ($22,360 63). We also paid, in addition to this amount, for services of architect and advertising, eleven hundred and eighteen dollars and three cents ($1,118 03), and seventy dollars ($70) for extra work, making the entire cost of said warehouses twenty-three thousand five hundred and forty-eight dollars and sixty-six cents ($23,548 66), leaving unexpended of said appropriation four thousand seven hundred and sixty-two dollars and thirty-four cents ($4,762 34).

Your Commissioners further report, that said warehouses were entirely completed and received by them on the part of the State, from the contractor, on the 31st day of January, ult.; and a more substantial, well-constructed building it would be difficult to find.

Too much credit cannot be awarded the contractor for the faithfulness and honesty with which he executed his contract. We do not believe that there is a single particle of inferior material put in said building, and it is erected in the most substantial and workmanlike manner. You are respectfully requested to call and examine and inspect it for yourselves.

Respectfully submitted.

P. H. LESLIE,
Chairman of said Board.
D. HOWAND SMITH,
JAMES W. TATE.

FRANKFORT, KY., February 2d, 1872.

Ordered, That said communication be printed, and referred to the Committee on Penitentiary and House of Reform.

The following bills were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Talbott, from the Committee on Charitable Institutions—

A bill for the benefit of Miss Blankenship, of Cumberland county.

By Mr. Gilbert, from the Committee on Courts of Justice—

A bill to change the time of holding the Ohio county quarterly courts.

By Mr. Talbott, from the Committee on Charitable Institutions—

A bill for the benefit of the blind children and youth of the State of Kentucky.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Chelf, from the Committee on Revised Statutes and Codes of Practice, reported a bill, entitled

A bill to repeal an act to amend the statute of limitation, approved February 17th, 1866.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the negative.

So said bill was rejected.

Mr. Haggard moved to reconsider the vote by which the Senate had, on yesterday, passed a bill, entitled

An act to empower the counties of Franklin, Cumberland, and Boyle to suppress disorder and enforce the laws.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Gilbert, from the Committee on Courts of Justice—

An act for the benefit of Greenup county.

By Mr. Whitaker, from the Committee on Courts of Justice—

An act to change the time of holding the McCracken county court of claims.

By same—

An act to authorize the county judge of Lincoln county to sell and convey the poor-house property in said county, and reinvest the proceeds.

By Mr. Pope, from the Committee on the Judiciary—

An act to repeal the charter of the Methodist Episcopal Church, South, of Louisville.

By same—

An act for the benefit of late clerks, sheriffs, jailers, constables, magistrates, and other officers of this Commonwealth.

With an amendment to the last named bill.

Which was adopted.

Ordered, That said bills, the last as amended, be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid, except the last named bill, which is amended to read,

An act to amend the act of March 21st, 1871, for the benefit of late clerks and other officers.

Mr. Haggard, from the Committee on Internal Improvement, to whom had been referred a bill, which originated in the House of Representatives, entitled.

An act to incorporate the Henderson Bridge Company,

Reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Haggard then moved to reconsider the vote by which the Senate had passed said bill.

Which motion was simply entered.

Mr. Talbott, from the Committee on Railroads, to whom had been referred a bill, which originated in the House of Representatives, entitled

An act to incorporate the Contracting and Building Company,

Reported the same without amendment.

Said bill was then read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be printed, and made the special order of the day for Tuesday next, the 6th inst.

Mr. Whitaker, from the Committee on Courts of Justice, reported a bill, entitled

A bill to establish an additional justices' district in Trigg county,

With the expression of opinion that said bill ought not to pass.

And the question being taken on ordering said bill to be read a third time, it was decided in the negative.

So said bill was disagreed to.

Leave was given to bring in the following bills, viz:

On motion of Mr. Dorman—

1. A bill to amend chapter 103 of the Revised Statutes, title "Turnpike and Plank Roads."

On motion of same—

2. A bill to amend chapter 61, title "Laws," of the Revised Statutes.

On motion of Mr. Vories—

3. A bill to amend the charter of the Louisville, Cincinnati, and Lexington Railroad.

On motion of same—

4. A bill to incorporate the Milton Baptist Church.

On motion of same—

5. A bill to authorize the superintendents of charitable institutions to draw warrants to pay transportation of pauper pupils.

On motion of Mr. Prichard—

6. A bill to amend the charter of the Big Sandy Navigation and Manufacturing Company.

On motion of Mr. Darby—

7. A bill to incorporate the Carrsville Silver and Lead Mining Company.

On motion of Mr. Pope—

8. A bill amending the charter of the American Printing House for the Blind.

On motion of same—

9. A bill relating to the grounds of the charitable institutions of the State.

On motion of Mr. Martin—

10. A bill for the benefit of John Scott, of Pike county.

On motion of same—

11. A bill to place the court-house and other public buildings at Manchester under the control of the county court.

On motion of Mr. Talbott—

12. A bill to authorize and empower the county court of Casey county to increase the county levy of said county.

Ordered, That the Committee on Revised Statutes and Codes of Practice prepare and bring in the 1st and 2d; the Committee on Rail-

roads the 3d; the Committee on Religion and Morals the 4th; the Committee on Charitable Institutions the 5th, 8th, and 9th; the Committee on the Judiciary the 6th and 10th; the Committee on Internal Improvement the 7th, and the Committee on Courts of Justice the 8th and 12th.

Mr. Cooper, from the Committee on Enrollments, reported that the committee had examined an enrolled bill, which originated in the Senate, of the following title, viz:

An act to amend the charter of the town of Bowling Green;

And had found the same truly enrolled.

Said bill having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and it was delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Cooper reported that the committee had performed that duty.

And then the Senate adjourned.

MONDAY, FEBRUARY 5, 1872.

A message was received from the House of Representatives, announcing that they had passed bills, which originated in the Senate, of the following titles, viz:

An act to prohibit the sale of spirituous, vinous, or malt liquors within one mile of the court-house, in Edmonton.

An act to amend an act, entitled "An act to incorporate the Stove, Grate, and Mantel Manufacturing Company," approved March 15th, 1869.

An act to amend an act, entitled "An act to incorporate the Cumberland and Ohio Railroad Company," approved February 24th, 1869,

With an amencment to the last named bill, which was taken up and referred to the Committee on Railroads.

A message was also received from the House of Representatives, announcing that they had passed bills and adopted a resolution of the following titles, viz :

1. An act providing for the assessment of property in McCracken county for railroad purposes.

2. An act to regulate sales made under decrees of the Metcalfe circuit court.

3. An act regulating the time of holding the circuit courts in the counties of Perry, Breathitt, and Clay.

4. An act to establish the Ohio River and Tygart's Drain district, in Greenup county.

5. An act to legalize the subscription of stock to the Newcastle and Kentucky River Turnpike Road Company by the court of claims of Henry county.

6. An act for the benefit of McCracken county.

7. An act for the benefit of common school district No. 12, in Woodford county.

8. An act to facilitate the collection of taxes in McCracken county.

9. An act for the benefit of John Ewell, jailer of McCracken county.

10. An act to authorize the county court of Hancock county to levy taxes to build bridges and work roads in said county.

11. An act in relation to the levy court of Spencer county.

12. An act creating magisterial district No. 10, in Union county.

13. An act to amend the police court in the town of Hickman.

14. An act authorizing the sale of the Henry county poor-house farm, and purchase of a smaller lot of ground, with suitable buildings, for the accommodation of the white paupers of said county.

15. An act to change the time of holding the county court in Lincoln county.

16. An act to amend the charter of the town of Harrodsburg.

17. An act to authorize the levy court of Union county to levy an additional tax to pay for work on roads and bridges.

18. An act empowering the Bullitt county court to sell the circuit and county clerks' offices in said county.

19. An act to repeal in part an act, entitled "An act in relation to official sales in Boyle and Lincoln counties," approved March 7th, 1871.

20. An act to change the time of holding the Henry county quarterly court.

21. An act to re-run and mark the dividing line between the counties of Hancock and Ohio.

22. An act in relation to delinquent tax-payers in Union county.

23. An act to amend an act incorporating the town of Calvert City, in Marshall county.

24. Resolution instructing our Senators, and requesting our Representatives in Congress, to secure an appropriation for locking and damming the Ohio river.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st, 2d, 4th, 6th, 8th, 9th, 12th, 13th, 15th, 18th, 20th, and 23d to the Committee on Courts of Justice; the 5th, 10th, 17th, and 24th to the Committee on Internal Improvement; the 7th to the Committee on Education; the 11th and 22d to the Committee on Finance; the 14th and 16th to the Committee on the Judiciary; the 19th to the Committee on Revised Statutes and Codes of Practice; the 21st to the Committee on Propositions and Grievances, and the 3d was ordered to be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The following petitions and remonstrance were presented, viz:

By Mr. Standeford—

1. The petition of sundry citizens of Louisville, praying the passage of an act to amend the charter of the Children's Home and Polytechnic Academy at the Falls of Ohio.

By Mr. Hale—

2. The petition of sundry citizens of Mayfield, praying the passage of an act to amend the charter of the town of Mayfield.

By same—

3. The remonstrance of sundry citizens of Hickman, against the passage of an act to repeal or curtail the jurisdiction of the city court of Hickman.

Which petitions and remonstrance were received, the reading dispensed with, and referred—the 1st to the Committee on Charitable Institutions, and the 2d and 3d to the Committee on the Judiciary.

The Speaker laid before the Senate the report of the Adjutant General.

[*For Report—see Legislative Document No.* 16.]

Ordered, That said report be printed, and referred to the Committee on Military Affairs.

A message was received from the Governor by Mr. Botts, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act authorizing the presiding judge of Nicholas county to make further subscriptions to the unfinished turnpike roads in said county.

An act to amend the charter of the Bank of Kentucky.

An act to incorporate the Western German Savings Bank, of Louisville.

An act to create the office of auditor for Warren county.

An act to authorize the Cumberland county court to levy an additional poll and ad valorem tax for county purposes.

An act to authorize the county court of Green county to issue bonds and levy a tax for certain purposes.

An act regulating the time of holding the quarterly courts in Nicholas county.

An act to legalize the action of the Cumberland county court in the sale of the old jail in said county.

A message in writing was received from the Governor by Mr. Botts, Assistant Secretary of State.

Said message was taken up and read as follows, viz:

STATE OF KENTUCKY, EXECUTIVE DEPARTMENT,
FRANKFORT, February 5th, 1872.

Gentlemen of the Senate:

I hereby nominate for your advice and consent the following persons as suitable to be commissioned as notaries public, viz:

J. A. Duncan, of Owen county.
W. H. Payne, of Warren county.
Frank Gilmore, of Fayette county.
B. Holt, of Russell county.
W. S. Foree, of Larue county.
John J. Gatewood, of Allen county.
J. C. Gilbert, of Marshall county.
W. H. Pettus, of Pulaski county.
M. Hamilton, of Kenton county.
Pinckney F. Green, of Jefferson county.

J. M. Wright, of Jefferson county.
Henry Hurter, of Jefferson county.
A. E. Willson, of Jefferson county.

Respectfully,

P. H. LESLIE.

Resolved, That the Senate advise and consent to said appointments.

A message was received from the House of Representatives, announcing that they had appointed a committee to wait upon the Governor, and requesting that a similar committee be appointed by the Senate, to act in conjunction therewith, for the purpose of withdrawing a bill, which originated in the Senate, entitled

An act to amend the charter of the town of Bowling Green.

Whereupon Messrs. Gatewood and Barlow were appointed said committee.

After a short time, Mr. Gatewood reported that the joint committee had discharged the duty assigned them.

The following bills were reported from the several committees directed to prepare and bring in the same, viz :

By Mr. Talbott, from the Committee on Charitable Institutions—

A bill to amend an act, entitled "An act to amend the charter of the American Printing House for the Blind," approved April 3d, 1861.

By same—

A bill relating to the grounds of the charitable institutions of this Commonwealth.

By Mr. Darby, from the Committee on Courts of Justice—

A bill to re-enact and amend an act, entitled "An act to incorporate the town of Carrsville, in Livingston county."

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz :

By Mr. Hale, from the Committee on Finance—

1. An act for the benefit of V. M. Deweese, of Butler county.

By Mr. John W. Johnson, from the Committee on Religion and Morals—

2. An act to prohibit the sale of intoxicating liquors in Benson district, in Franklin county.

By Mr. Prichard, from the Committee on Education—

3. An act to charter St. Mary's College, in Marion county.

Ordered, That the 3d be referred to the Committee on the Judiciary, and that the 1st and 2d be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The Senate also, according to order, took up for consideration a bill, entitled

A bill regulating the inspection and selling of tobacco in the city of Louisville.

On motion,

Ordered, That the further consideration of said bill be postponed, and it be made the special order of the day for to-morrow.

The Senate took up for consideration the resolution heretofore introduced by Mr. Barlow, entitled

Resolution in relation to the final adjournment of the present session of the General Assembly.

Which resolution reads as follows, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That when they adjourn on Monday, the 26th inst., they will adjourn without day.

Mr. Cooper then moved to amend said resolution by inserting in lieu thereof the following, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That when this General Assembly adjourns on the 4th day of March, 1872, that it adjourn to meet again on the 2d day of January, 1873, at 12 o'clock, M.

Pending the consideration of which, a motion was made to postpone the further consideration thereof until the 20th inst.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Pope and Haggard, were as follows, viz:

Those who voted in the affirmative, were—

J. Q. Chenoweth,	D. R. Haggard,	K. F. Prichard,
Wm. L. Conklin,	Edwin Hawes,	A. G. Talbott,
John E. Cooper,	J. B. Haydon,	Ben. J. Webb,
J. H. Dorman,	John W. Johnson,	Emery Whitaker—14.
John J. Gatewood,	A. L. Martin,	

Those who voted in the negative, were—

John S. Barlow,	W. McKee Fox,	William Johnson,
Robert Boyd,	H. S. Hale,	Alfred T. Pope,
Harrison Cockrill,	Thomas F. Hargis,	E. D. Standeford,
F. W. Darby,	G. A. C. Holt,	Thos. Wrightson—12.

The Senate also took up for consideration a bill, entitled

A bill to amend an act, entitled "An act to incorporate the Odd Fellows' Widows' Home and Orphans' University," approved January 11th, 1868.

Said bill was then amended.

Ordered, That said bill, as amended, be recommitted to the Committee on Charitable Institutions.

The Senate also took up for consideration the following bills, viz:

A bill to amend section 3, article 3, chapter 100, of the Revised Statutes.

A bill to amend section 29 of chapter 103, of the Revised Statutes.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, the first was made the special order of the day for Thursday, the 8th inst., and the question was taken on the passage of the second, and it was decided in the affirmative.

Resolved, That the title of said bill be as aforesaid.

Leave was given to bring in the following bills, viz:

On motion of Mr. Hale—

1. A bill to regulate the salary of county judges in this Commonwealth.

On motion of Mr. Boyd—

2. A bill for the benefit of John H. King, sheriff of Knox county.

On motion of same—

3. A bill appropriating one thousand dollars for the purpose of aiding in the removal of obstructions to the navigation of Rockcastle river, below Sublimity.

On motion of Mr. Cooper—

4. A bill for the benefit of the constable of the 5th justices' district, of Montgomery county.

On motion of Mr. Chenoweth—

5. A bill for the benefit of James H. Graham.

On motion of Mr. Hargis—

6. A bill to amend section 328 of the Civil Code of Practice.

On motion of Mr. Fox—

7. A bill for the benefit of Allen Jones, late sheriff of Pulaski county.

On motion of Mr. Prichard—

8. A bill to authorize the Elizabethtown, Lexington, and Big Sandy Railroad Company, and Chesapeake and Ohio Railroad Company, to bridge the Big Sandy river.

On motion of Mr. Haggard—

9. A bill in relation to the vacant lands in this Commonwealth.

On motion of Mr. Standeford—

10. A bill to amend the charter of the city of Louisville.

On motion of Mr. Conklin—

11. A bill for the benefit of John M. Thomas, of Grayson county.

On motion of same—

12. A bill to amend the law exempting homesteads from sale under executions, &c.

Ordered, That the Committee on the Judiciary prepare and bring in the 1st, 8th, and 10th; the Committee on Finance the 2d, 3d, 7th, and 11th; the Committee on Revised Statutes and Codes of Practice the 4th and 12th; the Committee on Claims the 5th; the Committee on Courts of Justice the 6th, and the Committee on Propositions and Grievances the 9th.

Mr. Cooper, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act to change the boundary line of Carroll and Gallatin counties;

An act to prohibit the sale of spirituous, vinous, or malt liquors within one mile of Richland school-house, in Mason county;

And enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to change the time of holding the quarterly courts in Ballard county;

An act to organize and establish a system of public schools in the town of Madisonville, county of Hopkins;

An act for the benefit of the common school commissioner of Breckinridge county;

An act to charter the town of Kuttawa, in Lyon county;

An act to amend an act, entitled "An act to incorporate the town of Pewee Valley, in Oldham county;"

An act to amend an act, entitled "An act to incorporate the town of Smith Grove, in Warren county;"

An act to amend the charter of the town of Greenupsburg;

An act to amend an act, entitled "An act to incorporate the town of Rich Pond, in Warren county;"

An act to incorporate the White Oak Turnpike Road Company, in Bath county;

An act to charter the Ludlow and Florence Turnpike Road;

An act to repeal chapter 1108 of the acts of 1871;

An act to repeal chapter 1175 of the acts of 1871;

An act to repeal chapter 1107 of the acts of 1871;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Cooper reported that the committee had performed that duty.

And then the Senate adjourned.

TUESDAY, FEBRUARY 6, 1872.

A message was received from the House of Representatives, announcing that they had passed bills, which originated in the Senate, of the following titles, viz:

An act to amend section 1, article 1, chapter 4, of the Revised Statutes.

An act to provide for defining and marking the line between the counties of Christian and Caldwell.

An act amending section 13, chapter 30, of the Revised Statutes, title "Descent and Distribution."

An act for the benefit of Wm. A Byrum, sheriff of Nicholas county.

That they had concurred in the amendments proposed by the Senate to bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend an act, entitled "An act to incorporate the town of Earlington."

An act authorizing the voters of Mackville precinct, in Washington county, to vote on the proposition whether ardent spirits shall be sold by retail in said precinct.

An act to amend the Criminal Code of Practice in relation to the taking of bail.

An act to amend section 8, article 25, chapter 28, of the Revised Statutes.

An act to prohibit the sale of vinous, spirituous, or malt liquors in Nelson county.

An act for the benefit of James M. Greenwade, late sheriff of Menifee county.

An act to amend the charter of the city of Augusta, in Bracken county.

An act to incorporate the town of Boston Station, Pendleton county.

An act to incorporate the town of Fulton, in Fulton county.

An act to incorporate the town of Jackson.

That they had passed bills of the following titles, viz:

1. An act to extend the terms of the Wayne circuit court, and to change the time of holding the Russell and Casey circuit courts, in the 8th judicial district.

2. An act to amend section 17, chapter 24, Revised Statutes.

3. An act relating to the Lunatic Asylums and other institutions of public charity in the State.

4. An act to amend an act further to define the duties of clerks of circuit, chancery, and county courts of this Commonwealth," approved March 25th, 1871.

5. An act for the benefit of the creditors of the Winchester and Muddy Creek Turnpike Road Company.

6. An act for the benefit of St. Mary's College.

7. An act for the benefit of county court clerks.

8. An act to amend the charter of the city of Frankfort, regulating fees of police judge and marshal.

9. An act for the benefit of Webster county.

10. An act for the benefit of Montgomery Lodge, No. 23, of Free and Accepted Masons.

11. An act to authorize receivers to release liens retained by deed or mortgage, in certain cases.

12. An act for the benefit of Leesburg.

13. An act to regulate the sale of spirituous liquors in Boyd county.

14. An act to amend an act, entitled "An act to fix the fees of county attorneys," approved February 21st, 1868.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st, 5th, 6th, 10th, 11th, and 12th to the Committee on the Judiciary; the 2d to the Committee on Revised Statutes and Codes of Practice; the 3d to the Committee on Charitable Institutions; the 4th, 7th, 8th, 9th, and 14th to the Committee on Courts of Justice, and the 13th to the Committee on Religion and Morals.

A message was received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills and resolutions, which originated in the House of Representatives, of the following titles, viz:

An act to authorize the town of Falmouth to subscribe for turnpike stock.

An act to amend the charter of the Second German Protestant Benevolent Society, of Louisville.

An act to legalize certain acts of James W. Staton, late road commissioner of Bracken county.

An act to amend the charter of the city of Paris.

An act to amend the charter of the Western Insurance and Banking Company.

An act to declare Morgan's creek, in Lawrence county, a navigable stream.

An act revising the charter of the town of New Liberty, in Owen county.

An act to provide for appointing an assistant county attorney for the county of Kenton.

An act to repeal an act, entitled "An act for the benefit of D. C. Smith, of Barren county."

An act to amend the charter of the Owensboro Savings Bank.

An act to amend the charter of the Louisville and Nashville Railroad Company.

An act to amend an act, entitled "An act to amend the charter of the Covington and Lexington Turnpike Road Company."

An act to provide for the improvement of the public roads in Butler county.

An act to amend an act, entitled "An act to incorporate the town of Sonora, in Hardin county."

An act for the benefit of St. Joseph's Industrial School for Boys, in the city of Louisville.

An act to amend the charter of the Independence and Big Bone Turnpike Road Company.

An act to amend the charter of the Richmond, Union Meeting-house, and Kentucky River Turnpike Road Company.

An act incorporating the Beech Fork and Simpson Creek Turnpike Road Company.

An act for the benefit of all persons owning land binding on that part of Mann's Lick road, alias Saratoga street, alias Pope street, between Broadway, in the city of Louisville, and its intersection with Rothwell street.

An act for the benefit of John Goodin, commissioner of common schools for Josh Bell county.

An act for the benefit of Lark Howard, of Magoffin county.

An act to amend an act revising the charter of the city of Paducah, Kentucky, approved February 11th, 1871.

An act to extend the corporate limits of the town of Paradise, in Muhlenburg county.

An act to incorporate the town of Martinsburg, in Elliott county.

An act to legalize the action of the Commissioners of the Sinking Fund of Marion county, in relation to the sale of Louisville and Nashville Railroad stock, and other matters pertaining thereto.

An act for the benefit of White Sulphur school district, in Scott county.

An act to repeal an act, entitled "An act to amend the charter of the town of Lancaster," approved March 11th, 1870.

An act to amend an act, entitled "An act to incorporate the town of Frenchburg, in Menifee county."

An act for the benefit of the executors of James P. Mitchell deceased.

An act to amend the town charter of Lebanon.

Resolution providing for an extension of the present session of the General Assembly.

Resolutions on the death of Hon. T. S. Fish.

A message was received from the Governor by Mr. Botts, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to change the boundary line of Carroll and Gallatin counties.

An act to prohibit the sale of spirituous, vinous, or malt liquors within one mile of Richland school-house, in Mason county.

A message in writing was received from the Governor by Mr. Botts, Assistant Secretary of State.

Said message was taken up and read as follows, viz:

STATE OF KENTUCKY, EXECUTIVE DEPARTMENT,
FRANKFORT, February 6th, 1872.

Gentlemen of the Senate:

The time for which E. R. Cook was commissioned as one of the Board of Managers of the Western Lunatic Asylum having expired, I nominate for your advice and consent the said E. R. Cook to be again commissioned as one of said Board of Managers.

Respectfully,

P. H. LESLIE.

Resolved, That the Senate advise and consent to said appointment.

The following communication was also received from the Governor by Mr. Botts, Assistant Secretary of State.

Which reads as follows, viz:

EXECUTIVE DEPARTMENT, STATE OF KENTUCKY,
FRANKFORT, February, 1872.

Gentlemen of the Senate and House of Representatives:

In compliance with the request of the Governor of the State of Georgia, I herewith transmit for your consideration a copy of a memorial of the General Assembly of the State of Georgia to the Congress of the United States.

The proposed canal therein referred to is of vast importance to the interests of this State; it will give to our products cheap transportation to the Atlantic coast through a country which is already one of our best markets, and it will form a much needed line of cheap transportation between the northwestern and southeastern States of the Union. The navigation of the Tennessee river is now being improved by the United States Government. A great deal of work has already

been done on that stream, and it will soon be navigable at all seasons of the year by steamers of light draft from its mouth to Chattanooga.

The proposed canal connects Guntersville on the Tennessee with Gadsden on the Coosa river, a distance of but 30 miles. The Coosa river is now navigable from Gadsden, in Alabama, to Rome, in Georgia. The canal route from Rome is up the Etowah river to a branch of that stream called Little river, and thence crossing the Chattahooche to the head waters of the Ocmulgee, and down that stream to Macon, from which point the Ocmulgee is navigable to the Atlantic Ocean. This brings the fine harbor of Brunswick and the port of Savannah in water communication with the Mississippi river and its tributaries. The length of canal and slack-water navigation in Georgia on this line is 148 miles. The estimated cost of canal and river improvement in Georgia is ten millions of dollars. From St. Louis to the harbor of Brunswick, the estimated distance by this route is one thousand and eighty eight miles. An inspection of the map accompanying the memorial will discover at once the ease and facility with which this great water-way may be secured and made reliable from the great northwest direct to Brunswick and Savannah. It is safe to assume as a basis for calculating charges per mile on this route, those fixed upon the route by the lakes from St. Louis to New York—less the cost of transhipment; and on this data the cost of shipment of a ton of freight from St. Louis to the Atlantic coast of Georgia by the proposed new water communication will be $4 56, whilst the cost of transporting a ton of freight from St. Louis to New York by the lake route is $11 76, or by rail, $16 50. This is a great and important public interest, and I hope the Legislature of Kentucky will heartily co-operate with the State of Georgia and other States in their effort to consummate the enterprise.

Respectfully,

P. H. LESLIE.

MEMORIAL RELATIVE TO WATER COMMUNICATION BETWEEN THE ATLANTIC AND MISSISSIPPI.

The General Assembly of the State of Georgia to the Congress of the United States, respectfully represent: that there is a necessity for a shorter, cheaper, and better channel of communication between the Mississippi valley and the Atlantic seaboard.

That such a channel can be obtained through Georgia by connecting the waters of the Tennessee and Coosa rivers, and the Coosa and Ocmulgee rivers by canal. That the benefit to be derived from the work, when completed, would be enjoyed equally by the Eastern and Western States of the Union, and that, in case of a hostile invasion, it would be invaluable to the Government as an interior means of communication, by which supplies, in large quantities, could be cheaply and safely transported from the West to the East, and that, for these reasons, it may justly and properly be considered a National work. That the impoverished condition of the South

precludes the hope that this work can be successfully prosecuted, either as a State work or by private enterprise, for many years.

The necessity for a work, such as is contemplated, is clearly shown by the present charges upon the transportation of grain from the Western States to New York. The charge on wheat from the Mississippi river to New York by railway, when the canals are closed, averages seventy-two (72) cents per bushel, and even by water transportation from Chicago the charges sometimes amount to fifty-six (56) cents per bushel, or above sixty-two (62) cents per bushel from the Mississippi river, so that the farmer west of that river has to pay one half of his crop to get the other half to market. In fact, the charges on wheat from the Northwest are so onerous as seriously to cripple the development of that section, and to render it doubtful whether there be any profit in raising it.

That this state of things is produced by the present inadequate means of transportation—the pressure upon the present water routes being so great during the limited season between the harvesting of the crop and the closing of navigation, exorbitant prices are demanded for freight, and the distance by railroad is so great that transportation can never be brought down to a price that will leave a sufficient profit to the farmer, and at the same time be remunerative to the railroads. High rates of freight depress agricultural interests, especially in the States west of the Mississippi, and check emigration.

These evil influences can only be remedied, the agricultural interests of the West fostered and developed, and emigration encouraged, by opening some cheaper channel of trade between the Mississippi and the Atlantic ocean.

The multiplication or consolidation of long lines of railroads can never effect the desired results, as the distance is too great for wheat and corn to be transported at a profit.

A cheap transit can be found for the West through Georgia to the sea by opening the proposed water-line. It is eight hundred and forty-four (844) miles less from St. Louis, the great centre of Western trade, to the Georgia Atlantic ports, than to New York by the lakes and Erie canal. It is two hundred and eighty-two (282) miles less from St. Louis by the proposed line to the Georgia ports than to the Gulf of Mexico by the Mississippi river.

This route will be safe in war and in peace. It will never be obstructed by ice. Upon it no transhipments will be necessary. No marine insurance will be needed.

A barge loading at any point on the Mississippi, or any of its tributaries, can discharge her cargo on board a vessel at Brunswick or Savannah without, in the meantime, breaking bulk.

The two principal seaports of Georgia have harbors that are safe and accessible to ships and sea-going steamers of ordinary capacity at all times, and are ample to accommodate this trade.

By this proposed line frieght can be transported from St. Louis to Savannah for four dollars and fifty-six cents per ton, and corn for twelve cents per bushel. Being, for the greater part of the way, a

river route, it would, at all times, afford the cheapest mode of transportation known to the commercial world.

The estimated cost of this work, within the limits of Georgia, will not exceed *ten millions of dollars*. The saving which would be effected upon the transportation of the grain crop of the West would pay for it in one year, did it cost ten times as much as the above estimate. It will supply the great need of the West, and furnish it with what it has so long desired, viz: *cheap transportation*.

In our opinion the cheapening of transportation which it will effect will enable the United States to once more command the grain markets of Western Europe. In short, there is no interest, either agricultural or mechanical, which it will not aid in developing, and no State in the Union which it will not in some degree benefit. For these reasons we justly regard it as a great national work which should receive the aid of the General Government, and we therefore respectfully ask that the Congress of the United States will, in such way as shall seem to them best, either by a donation of land, or by a loan of the credit of the Government, furnish the means for opening this great continental highway.

1. *Resolved*, That our Senators be instructed, and our Representatives in Congress be requested, to use their best efforts to obtain such aid from the General Government as will secure to Georgia this great water line between the Mississippi river and the Atlantic ocean.

2. That the Governor be requested to forward a copy of the foregoing memorial to the Governors of the States more immediately interested in the opening of this work, and invite them to co-operate with us in securing the necessary aid.

§ 3. That the Governor be requested to forward a copy of said memorial, and of these resolutions, to each of our Senators and Representatives in Congress.

L. N. TRAMMELL,
President of the Senate.

T. W. J. HILL, *Secretary of the Senate.*

JAMES M. SMITH,
Speaker of the House of Representatives.

J. D. WADDELL, *Clerk of the House of Representatives.*

Approved December 13, 1871.

BENJAMIN CONLEY, *Governor.*

EXECUTIVE DEPARTMENT, STATE OF GEORGIA,
ATLANTA, December 19, 1871.

I have the honor to lay before you the inclosed memorial and resolutions, which were unanimously adopted by the Legislature of this State at its recent session, and to invite your active co-operation and aid in the furtherance of this great national enterprise.

The proposed work is one of such evident importance to all sections of the country, that it needs no stronger argument in its behalf than a statement of its feasibility, and that a survey made by order

of Congress demonstrates the fact, that there is no physical obstacle in the way of its construction that the skill of the engineer cannot control.

May I not hope that you will give this matter your earnest attention, as one which will not only draw closer the ties of mutual interest between the two great commercial sections of the country, but which promises, in the future, so much of prosperity to all.

BENJAMIN CONLEY, *Governor.*

Ordered, That said communication be printed, and referred to the Committee on Internal Improvement.

A message was received from the House of Representatives, asking leave to withdraw their announcement of the passage of bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend the charter of the Elizabethtown and Paducah Railroad Company.

An act to incorporate the Contracting and Building Company.

Which was granted, and the bills delivered to the messenger.

A message was sent to the House of Representatives, asking leave to withdraw the announcement of their passage of a bill, which originated in the House of Representatives, entitled

An act to amend the charter of the Union and Richwood Turnpike Road Company.

After a short time, said bill was handed in at the Clerk's desk.

Said bill was taken up, the vote on its passage reconsidered, and referred to the Committee on Internal Improvement.

Mr. Dorman presented the following petition and remonstrance, viz:

1. The petition of sundry citizens of Gallatin county, praying the passage of an act for the protection of sheep in said county.

2. The remonstrance of sundry citizens of the town of Union, against the passage of an act, entitled "An act to amend the charter of the Union and Richwood Turnpike Road Company."

Which were received, the reading dispensed with, and referred—the 1st to the Committee on the Judiciary, and the 2d to the Committee on Internal Improvement.

The following bills were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Barlow, from the Committee on Claims—

1. A bill supplemental to an act, entitled "An act for the benefit of Knox county," approved March 30th, 1870.

By Mr. Conklin, from the Committee on Finance—

2. A bill for the benefit of John M. Thomas, of Grayson county.

By Mr. Standeford, from the Committee on Internal Improvement—

3. A bill to incorporate the Carrsville Silver and Lead Mining Company.

By Mr. Prichard, from the Committee on the Judiciary—

4. A bill authorizing an additional examiner in the town of Ashland, in Boyd county.

By same—

5. A bill to authorize the Elizabethtown, Lexington, and Big Sandy Railway Company, and Chesapeake and Ohio Railway Company, to bridge the Big Sandy river.

By Mr. Chenoweth, from the Committee on Railroads—

6. A bill to incorporate the Beall's Branch Railway Company.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That the 3d be printed, and placed in the orders of the day; that the 5th be referred to the Committee on Railroads, and that the 1st, 2d, 4th, and 6th be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Cockrill, from the Committee on Agriculture and Manufactures—

An act to amend an act, entitled "An act to incorporate the Cottage Furnace Iron and Manufacturing Company, in Estill county."

By Mr. Gatewood, from the Committee on Education—

An act for the benefit of common school district No. 12, in Woodford county.

By Mr. Conklin, from the Committee on Finance—

An act in relation to the levy court of Spencer county.

By Mr. Hale, from the Committee on Finance—

An act in relation to delinquent tax-payers in Union county.

By Mr. Standeford, from the Committee on Internal Improvement—

An act to legalize the subscription of stock to the Newcastle and Kentucky River Turnpike Road Company by the court of claims of Henry county.

By same—

An act to authorize the county court of Hancock county to levy taxes to build bridges and work roads in said county.

By same—

An act to authorize the levy court of Union county to levy an additional tax to pay for work on roads and bridges.

By Mr. Haggard, from the Committee on Internal Improvement—

An act for the benefit of the Augusta and Minerva Turnpike Road Company, in Bracken county.

By same—

An act for the benefit of the Augusta and Dover Turnpike Road Company, in Bracken county.

By Mr. Haggard, from the Committee on Propositions and Grievances—

An act to re-run and mark the dividing line between the counties of Hancock and Ohio.

By Mr. Cockrill, from the Committee on Agriculture and Manufactures—

An act to amend an act, entitled "An act to incorporate the Red River Iron Manufacturing Company."

By Mr. Gilbert, from the Committee on Courts of Justice—

An act to amend the police court in the town of Hickman.

With amendments to the last two named bills.

Which were adopted.

Ordered, That said bills, the last two as amended, be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid, except the last named bill, which is amended to read,

An act to regulate the civil jurisdiction of the police court in the city of Hickman, Fulton county.

Mr. Standeford, from the Committee on Internal Improvement, to whom had been referred a resolution, which originated in the House of Representatives, entitled

Resolution instructing our Senators, and requesting our Representatives in Congress, to secure an appropriation for locking and damming the Ohio river,

With the expression of opinion that said resolution should be concurred in.

Mr. Conklin moved to postpone the further consideration of said resolution until Tuesday, the 13th.

And the question being taken thereon, it was decided in the negative.

The question was then taken upon the adoption of said resolution, and it was decided in the affirmative.

Mr. Hargis offered the following resolutions, viz:

WHEREAS, It is alleged by the Louisville Commercial that an agreement has been made between a Senator of the present Kentucky Legislature and a tobacco weigher, now on duty in the city of Louisville, whereby the weigher was to receive a share of the fees, to-wit: one thousand dollars, and the said Senator to receive the remainder of the fees; and that said tobacco weigher was appointed in pursuance thereto, the said Senator using his influence to have his appointment, and said agreement is now being carried out; therefore, be it

1. *Resolved*, That a committee of five members of this body be appointed to investigate said charge; and they shall have power to send for persons and papers; and they shall report the facts and the evidence to support them to the Senate for their action.

2. *Resolved*, That if said charges shall be proven or justified by the facts developed before said committee, that it is the sense of the Senate that such Senator is unworthy of a seat upon this floor, and should be expelled.

A division of the resolutions was then ordered.

The question was then taken on the adoption of the first resolution, and it was decided in the affirmative.

The question was then taken on the adoption of the second resolution, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Chenoweth and Boyd, were as follows, viz:

Those who voted in the affirmative, were—

Robert Boyd,	Harrison Cockrill,	Thomas F. Hargis,
J. Q. Chenoweth,	G. W. Connor,	W. L. Vories—6.

Those who voted in the negative, were—

John S. Barlow,	Jesse C. Gilbert,	O. D. McManama,
W. H. Chelf,	D. R. Haggard,	Alfred T. Pope,
Wm. L. Conklin,	H. S. Hale,	K. F. Prichard,
John E. Cooper,	Edwin Hawes,	E. D. Standeford,

F. W. Darby,	J. B. Haydon,	A. G. Talbott,
J. H. Dorman,	G. A. C. Holt,	Ben. J. Webb,
William P. Duvall,	John W. Johnson,	Emery Whitaker,
W. McKee Fox,	William Johnson,	Thos. Wrightson—26.
John J. Gatewood,	A. L. Martin,	

The question was then taken on the adoption of the preamble, and it was decided in the affirmative.

So the resolution, as amended, and the preamble, were adopted.

The Senate, according to order, took up for consideration a bill, entitled

A bill to provide for the location and erection of the Third Lunatic Asylum.

Ordered, That the further consideration of said bill be postponed until Thursday, the 15th inst.

The Senate also, according to order, took up for consideration a bill, entitled

A bill regulating the inspection and selling of tobacco in the city of Louisville.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That inspection and sale of leaf tobacco in hogsheads may be had in the city of Louisville, when warehouses for that purpose may be established by the consent of the city council; but the owners or proprietors thereof shall have the right to close his or their warehouses at pleasure.

§ 2. The proprietor of each warehouse shall keep a well-bound book, of proper size, in which shall be entered the marks, numbers, gross, tare, and net weight of each hogshead inspected and sold, together with the name of the owner and the name of the purchaser, and the price sold per cwt., and the amount each hogshead sold for; and when collected, pay over to the planter or seller of tobacco the sum that may be due him, after deducting charges, fees, and advances, if any. They shall provide a sufficient number of coopers to do the coopering and handle the tobacco inspected and sold in their warehouses.

§ 3. The fees upon each hogshead of tobacco to be collected by the proprietors of the different warehouses in the city of Louisville shall be as follows: for receiving, uncoopering, and coopering up again, marking, twine, sample card, making out note, and delivering the same to purchaser, selling, making out account sales, collecting, and after deducting fees, charges, and advances, paying over or disbursing proceeds, three dollars. Of this amount the purchaser shall, on presentation of his note, pay one dollar and fifty cents, and the planter or seller one dollar and fifty cents, and one per cent. on gross amount of sales.

§ 4. That the owners and proprietors of warehouses in the city of Louisville shall enter into bonds, with good security, to be approved by the mayor and general council of the city of Louisville, payable to the Commonwealth of Kentucky, in the sum of ten thousand dollars, conditioned well and truly to pay over to the planter or seller the proceeds of, or balance due on, all sales made by said planter or seller; and the injured party, if any, may sue thereon, and receive by civil suit, for his own benefit, as in other cases, for any injury. Should said proprietor fail to execute said bond for ten thousand dollars, then they shall not be entitled to collect any fees under a penalty of one hundred dollars for each offense, to be recovered in the name of the Commonwealth in any court of competent jurisdiction, and one half of said fines shall be paid over to said informer. The proprietors of said warehouses shall not charge storage on tobacco sold for the space of six months; but at the expiration of that time they may charge twenty-five cents per month on each hogshead of tobacco inspected and sold.

§ 5. The Governor of this Commonwealth shall, in the month of March in each year, appoint four competent persons as inspectors of tobacco in the city of Louisville. Such persons to be selected exclusively from the tobacco-growing counties of the State, whose qualifications and localities are defined in section No. —, who shall hold their office for one year from the first of April, and until their successors are appointed and qualified. It shall be the duty of such inspectors to draw from each and every hogshead of tobacco offered at public sale in said city, fair samples of the same; and after said samples are drawn, they shall tie each sample securely and neatly, with suitable twine, placing thereon a card, with printed name of warehouse, and the number of the hogshead, the cards and twine to be furnished by the warehousemen. They shall seal and stamp said sample with sealing-wax, a suitable seal and wax to be furnished by the inspectors. Said inspectors shall alternate daily in the duties of sampling, tying, and sealing, and, for their services, shall receive each cents per hogshead, to be collected by the proprietors of the different warehouses of the seller, and divided equally between the four inspectors. The said inspectors shall be in attendance at the warehouses, to discharge their duties, from half-past seven in the morning until six o'clock in the evening, or until all the tobacco intended for sale that day is sampled at the different warehouses; should any inspector be absent, or fail to discharge the duties imposed upon him by this act, then a majority of the proprietors of the warehouses may select some one of the other three inspectors to act in his place, and pay him the regular fees, so long as he may discharge said duties; said inspectors shall, before entering upon their duties, take an oath before some justice of the peace of Jefferson county that they will discharge all the duties imposed upon them by this act. The Governor shall have power to remove any of said inspectors at his pleasure, when satisfied of his incompetency, for lack of integrity, industry, or for other good and sufficient cause, and appoint others in their stead.

§ 6. The Governor shall, in the month of March in each year, appoint seven competent persons as weighers of tobacco in the city of Louisville, four of whom so selected to be taken from the tobacco-growing counties of the State, whose localities shall be defined in section No. , and who shall hold their offices for one year from the 1st of April, and until their successors are appointed and qualified—one for each warehouse in the city of Louisville. The Governor, in commissioning said weighers, shall give each a commission marked Nos. 1, 2, 3, 4, 5, 6, and 7; and should an additional warehouse be established, another weigher shall be appointed in like manner; and should any of the present warehouses be discontinued, the weigher whose commission bears the highest number shall vacate his office, the object being to have one weigher at each warehouse, and no more. It shall be the duty of said weighers to attend daily at such times as the proprietors of said warehouses may designate, and weigh all tobacco offered for sale, deducting five pounds for sample, and, after such deduction, mark the gross weight distinctly on one head of the hogshead, and after the tobacco is placed on the break and stripped, they shall take the tare weight of each cask.

§ 7. Said weighers, before entering upon their duties, shall take an oath before some justice of the peace of Jefferson county to perform faithfully all the duties required of them by this act; said weighers shall alternate weekly between each of said warehouses, and perform their various duties as aforesaid, and for their services shall receive cents each per hogshead, to be collected from the seller by the proprietors of the warehouses, and divided equally between them. The Governor shall have power to remove any of said weighers for incompetency, for lack of integrity, industry, or other good cause, and appoint others in their stead.

§ 8. Said weighers shall be responsible for any errors in their weights, and shall give bond to the Commonwealth of Kentucky in the sum of five thousand dollars, and sufficient security, to be approved by the clerk of the Jefferson county court, conditioned faithfully to perform the duties imposed upon them by this law, which bonds shall be filed in the office of said clerk; said weighers shall procure a set of standard weights at the joint expense of the warehouses in Louisville, sufficient to test their scales, of not less than three thousand pounds; and said weighers shall test the scales at each warehouse at least once in each month.

§ 9. All tobacco offered for sale in said warehouses shall be weighed and marked as before mentioned in this act. After each hogshead of tobacco has been sold and properly recoopered, it shall again be weighed by the same weigher, and the proprietors of said warehouses shall settle with the seller according to the first weight, and with the purchaser according to the second weight, deducting the proper tare in each instance.

§ 10. Should any of the said weighers neglect to attend in person to the duties imposed upon him by this act, then the proprietors of the warehouse at which he is for the time assigned shall call upon some other one of the weighers to act in his stead, who shall receive for such service the full fees due thereon, and shall be responsible to

the proprietor for any errors he may make in weights, and the proprietor, in like manner, shall be responsible to the seller and buyer.

§ 11. The present inspectors and weighers of tobacco to remain in office until the first day of April next, or until their successors are appointed and qualified.

§ 12. Any person who shall purposely mutilate any sample, or alter the weights marked by the weighers, or record other weights on the warehouse books, shall be guilty of a misdemeanor; and for the violation of either of the provisions of this section, upon conviction thereof, shall be fined not less than fifty dollars nor more than five hundred dollars for each offense

§ 13. A planter or owner of tobacco may take it to any warehouse in Louisville to have it inspected and sold at auction; but when sold at auction, may, by paying the fees, refuse to take the price at which it was cried off. A lien is hereby given to the proprietors of the warehouses on all tobacco and proceeds for fees, charges, and advances on same.

§ 14. No inspectors, weighers, or proprietors of warehouses, shall, directly or indirectly, by agents or proxies, be engaged in the purchase of leaf tobacco in the city of Louisville.

§ 15. The note or receipt made out by the proprietors of the warehouses to the purchasers shall be assignable by indorsement or delivery, and such assignment or delivery shall pass the title to the tobacco described in said note or receipt; and the proprietor shall, upon presentation of said note or receipt, and the payment of all charges upon it, deliver, in a reasonable time, the tobacco described therein.

§ 16. Should said proprietors make advances in cash or acceptances to the planter or seller, then the said proprietors shall be permitted to charge the same interest and exchange, but no more, that the banks of this State charge. All tobacco sold at the different warehouses shall be exempt from auction duties.

§ 17. The scales procured by the warehousemen of the city of Louisville shall be tested once each month by the inspector of scales, weights, and measures of Jefferson county, the warehouse proprietors paying therefor. The weigher shall examine the scales each morning before using them, and, if he shall see proper, order them to be tested when he shall not be satisfied that they are in good order.

§ 18 There shall be one inspector and weigher of tobacco selected from the following counties that are included in the four districts indicated by the following counties, to-wit: The first district shall embrace all the counties east of, and including, the counties of Bracken, Nicholas, Montgomery, Powell, Owsley, Clay, and Knox. The second district shall include all the counties west of the boundary of the first district, including the counties of Gallatin, Owen, Franklin, Anderson, Mercer, Boyle, Casey, Russell, Clinton, and Cumberland. The third district to include all the counties west of the western boundary of the second district, including the counties of Daviess, Ohio, Muhlenburg, and Logan. The fourth district to include all the counties west of said line as defined in the western limits of third district. The Governor shall appoint three additional

weighers for the State at large, one for each tobacco warehouse in the city of Louisville. The inspectors must be practical tobacco-raisers and farmers, or at least must have been such prior to their appointment.

§ 19. This act shall take effect from its passage, and repeals all other acts conflicting herewith.

Mr. Haggard moved to amend said bill as follows, viz:

In section five, line three, strike out the words "tobacco-growing."

Which was adopted.

Mr. Haggard moved further to amend said bill as follows, viz:

In section five, line four, fill the blank with the figures "18."

Which was adopted.

Mr. Haggard moved further to amend said bill as follows, viz:

In section five, line fourteen, fill the blank with "seven."

Mr. Wm. Johnson then moved to amend the amendment proposed by Mr. Haggard, by filling the blank with "six" instead of "seven."

The question was then taken on filling the blank with "seven," as proposed by Mr. Haggard, it being the highest number, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Hawes and Haggard, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	F. W. Darby,	Jesse C. Gilbert,
W. H. Chelf,	Wm. P. Duvall,	D. R. Haggard,
J. Q. Chenoweth,	W. McKee Fox,	A. L. Martin,
G. W. Connor,	John J. Gatewood,	K. F. Prichard—12.

Those who voted in the negative, were—

Robert Boyd,	Edwin Hawes,	E. D. Standeford,
Harrison Cockrill,	J. B. Haydon,	A. G. Talbott,
Wm. L. Conklin,	G. A. C. Holt,	W. L. Vories,
John E. Cooper,	John W. Johnson,	Ben. J. Webb.
J. H. Dorman,	William Johnson,	Emery Whitaker,
H. S. Hale,	O. D. McManama,	Thos. Wrightson—20.
Thomas F. Hargis,	Alfred T. Pope,	

The question was then taken on the amendment proposed by Mr. Wm. Johnson, and it was decided in the affirmative.

Mr. Cooper moved to postpone the further consideration of said bill until Tuesday, the 13th inst.

And the question being taken thereon, it was decided in the negative.

Mr. Wm. Johnson then moved further to amend said bill by adding thereto the following additional section, viz:

No member of the General Assembly shall be eligible as weigher or inspector.

And the question being taken thereon, it was decided in the affirmative.

Mr. Chelf then moved to strike out the 18th section of the bill.

Pending the consideration of which, on motion, the further consideration of said bill and proposed amendment was postponed until to-morrow, at 11 o'clock, A. M.

Mr. Cooper, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act to incorporate the Western Tobacco Bank and Warehouse Company;

An act to incorporate the Uniontown, Princeton, and Southern Railroad Company;

An act to prohibit the sale of spirituous, vinous, or malt liquors within one mile of the court-house, in Edmonton;

An act to amend an act, entitled "An act to incorporate the Stove, Grate, and Mantel Manufacturing Company," approved March 15th, 1869;

And enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to authorize the trustees of the Cincinnati Southern Railway to acquire the right of way, and to extend a line of railway through certain counties in this Commonwealth;

An act to incorporate the trustees of the Presbyterian Church of Augusta;

An act prohibiting the vending of ardent, malt, or vinous spirits in the second magisterial district in Mercer county;

An act to incorporate the Riverton Iron and Mining Company;

An act to amend an act, entitled "An act to incorporate the Salt Lick, Esculapia, and Mount Carmel Turnpike Road Company;"

An act to amend the charter of the Board of Internal Improvement for Anderson county;

An act to incorporate the Stoner Run and Kentucky River Turnpike Road Company, in Madison county;

An act to amend the charter of the Newport and Dayton Turnpike Company;

An act authorizing the indexing of the order-books of the Mercer county court;

An act to legalize certain orders of the Mercer county court;

An act to amend an act, entitled "An act to authorize the Henderson county court to raise money by an ad valorem tax, and issuing bonds," approved February 27th, 1867;

An act for the benefit of district No. 3, in McLean county;

An act concerning the county levy and taxation in Livingston county;

An act to amend the charter of Dry Creek and Covington Turnpike Company;

An act to amend an act, entitled "An act to authorize the Elliott county court to levy an additional tax for county purposes," approved March 8th, 1870;

An act to change the time of holding the county and quarterly courts of Perry county;

An act to amend an act re-establishing the court of common pleas in Hickman county, in the 1st judicial district;

An act to change the time of holding the county and quarterly courts of Letcher county;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Cooper reported that the committee had performed that duty.

Leave was given to bring in the following bills, viz:

On motion of Mr. Talbott—

1. A bill to provide for the registration of the bonds of counties, cities, and towns, issued in payment for subscriptions to railroad companies.

On motion of same—

2. A bill for the benefit of the Middleburg and Liberty Turnpike Road Company, in Casey county.

On motion of Mr. Vories—

3. A bill to authorize the trustees of the Baptist Church of East Fork, in Henry county, to sell their property.

On motion of Mr. John W. Johnson—

4. A bill to amend the charter of the town of Calhoon.

On motion of Mr. Gilbert—

5. A bill to amend an act, entitled "An act to revise, digest, and

compile the Statute Laws and Codes of Practice of Kentucky," approved March 10th, 1871.

On motion of Mr. Standeford—

6. A bill to incorporate the Louisville and Brownsboro Railway Company.

Ordered, That the Committee on the Judiciary prepare and bring in the 1st and 3d; the Committee on Courts of Justice the 2d; the Committee on Propositions and Grievances the 4th; the Committee on Revised Statutes and Codes of Practice the 5th, and the Committee on Railroads the 6th.

And then the Senate adjourned.

WEDNESDAY, FEBRUARY 7, 1872.

A message was received from the House of Representatives, announcing that they had concurred in the adoption of a resolution, which originated in the Senate, entitled

Resolution calling on the Auditor for information in relation to receipts and disbursements within a given period.

That they had passed bills, which originated in the Senate, of the following titles, viz:

An act to repeal an act, entitled "An act to amend section 611, Civil Code of Practice," approved March 4th, 1865.

An act to repeal an act, entitled "An act to amend section 760, Civil Code of Practice," approved March 4th, 1865.

That they had passed bills and a resolution of the following titles, viz:

1. An act to amend an act, entitled "An act to amend the road law in Bracken county."

2. An act authorizing the clerk of the Harrison circuit court to complete and continue a cross-index to judgments.

3. An act to repeal an act, entitled "An act to amend an act to establish the town of Frederick, in Barren county."

4. An act to amend section 2, article 5, chapter 32, of the Revised Statutes.

5. An act to repeal chapter 853 of the acts approved at the session of 1869-70.

6. An act to amend the charter of the Kentucky River Turnpike Road Company.

7. An act to amend an act to incorporate the Clark County Agricultural Association.

8. An act for the benefit of the Winchester and Red River Iron Works Turnpike Road Company, and the Schoolsville branch of same road.

9. An act requiring the circuit and county clerks of Montgomery to index and cross-index certain records, and prescribing the manner of payment for performing such work.

10. An act for the benefit of the Mount Sterling and Levee Turnpike Road Company.

11. Resolution directing distribution of Owen's Geological Survey.

Which bills and resolution were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills and resolution being dispensed with, they were referred—the 1st, 2d, and 9th to the Committee on Courts of Justice; the 3d to the Committee on the Judiciary; the 4th and 5th to the Committee on Revised Statutes and Codes of Practice; the 6th, 8th, and 10th to the Committee on Internal Improvement; the 7th and 11th to the Committee on Agriculture and Manufactures.

A message was also received from the House of Representatives, announcing that they had passed a bill, entitled

An act to amend an act, entitled "An act to authorize the city of Newport to supply itself and others with pure water, and to establish water-works," approved January 26th, 1871.

Which bill was taken up, read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A message was also received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to organize and establish a system of public schools in the town of Madisonville, county of Hopkins.

An act to charter the town of Kuttawa, in Lyon county.

An act to charter the Ludlow and Florence Turnpike Road.

An act to incorporate the White Oak Turnpike Road Company, in Bath county.

An act for the benefit of the common school commissioner of Breckinridge county.

An act to repeal chapter 1175 of the acts of 1871.

An act to repeal chapter 1107 of the acts of 1871.

An act to repeal chapter 1108 of the acts of 1871.

An act to amend the charter of the town of Greenupsburg.

An act to amend the charter of the town of South Carrollton, in Muhlenburg county.

An act to amend an act, entitled "An act to incorporate the town of Pewee Valley, in Oldham county."

An act to amend an act, entitled "An act to incorporate the town of Rich Pond, in Warren county."

Mr. Haydon presented the petition of sundry citizens of Meade and other counties, praying the passage of an act for the formation of a new county.

Which was received, the reading dispensed with, and referred to the Committee on Propositions and Grievances.

The following bills were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Darby, from the Committee on Courts of Justice—

1. A bill to amend section 328 of the Civil Code of Practice.

By same—

2. A bill to change the time of holding the Estill quarterly court.

By Mr. Pope, from the Committee on the Judiciary—

3. A bill to amend the charter of the city of Louisville.

By Mr. Hargis, from the Committee on the Judiciary—

4. A bill to amend the charter of the Carlisle and Jackstown Turnpike Road Company, in Nicholas county.

By Mr. Wm. Johnson, from the Committee on the Judiciary—

5. A bill authorizing the trustees of Bardstown to levy a tax for the purpose of purchasing a school-house.

By same—

6. A bill to authorize the judge of the Warren circuit court to sign the records of said court made on the 5th day of March, 1870.

By same—

7. A bill to regulate the sale of real estate held by joint tenants, tenants in common, or coparceners.

By same—

8. A bill authorizing the judges of the several courts of this Commonwealth to sign unsigned orders and judgments in said courts.

By Mr. Talbott, from the Committee on Charitable Institutions—

9. A bill to continue in force an act, entitled "An act to amend the charter of the Kentucky University," approved February 5th, 1868.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, the 7th was ordered to be printed, and placed in the orders of the day; the 8th was made the special order of the day for Friday, the 9th inst., and the 1st, 2d, 3d, 4th, 5th, 6th, and 9th were ordered to be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Chenoweth, from the Committee on Railroads, to whom was referred the amendments proposed by the House of Representatives to a bill, which originated in the Senate, entitled

An act to amend an act, entitled "An act to incorporate the Cumberland and Ohio Railroad Company," approved February 24th, 1869,

Reported the same, with the expression of opinion that said amendments should be concurred in.

And the question being taken thereon, it was decided in the affirmative.

Mr. Chenoweth, from the Committee on Railroads, to whom had been referred a bill, entitled

A bill to authorize the Elizabethtown, Lexington, and Big Sandy Railway Company, and Chesapeake and Ohio Railway Company, to bridge the Big Sandy river,

Reported the same without amendment.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Talbott, from the Committee on Charitable Institutions, to whom had been referred the petition of sundry citizens of Louisville, asking the passage of an act, entitled "An act to amend the charter of the Children's Home and Polytechnic Academy at the Falls of Ohio, asked to be discharged from the further consideration of said petition.

Which was granted.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Gilbert, from the Committee on Courts of Justice—

An act for the benefit of Webster county.

By same—

An act to establish the Ohio River and Tygart's Drain district, in Greenup county.

By same—

An act for the benefit of John Ewell, jailer of McCracken county.

By same—

An act providing for the assessment of property in McCracken county for railroad purposes.

By same—

An act for the benefit of McCracken county.

By same—

An act to amend an act incorporating the town of Calvert City, in Marshall county.

By same—

An act to facilitate the collection of taxes in McCracken county.

By Mr. Whitaker, from the Committee on Courts of Justice—

An act to change the time of holding the Henry county quarterly court.

By same—

An act empowering the Bullitt county court to sell the circuit and county court clerks' offices in said county.

By Mr. Darby, from the Committee on Courts of Justice—

An act to change the time of holding the county court in Lincoln county.

By Mr. Burton, from the Committee on Finance—

An act for the benefit of James H. Kirk, late sheriff of Marion county.

By Mr. Wm. Johnson, from the Committee on the Judiciary—

An act for the benefit of St. Mary's College.

By same—

An act authorizing the sale of the Henry county poor-house farm, and the purchase of a smaller lot of ground, with suitable buildings, for the accommodation of the white paupers of said county.

By Mr. Pope, from the Committee on the Judiciary—

An act to incorporate the town of Kingston, in Madison county.

By Mr. Wm. Johnson, from the Committee on the Judiciary—

An act to increase the bonded debt of the city of Dayton, in Campbell county.

With amendments to the last two named bills.

Which were adopted.

Ordered, That said bills, the last two as amended, be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Whitaker, from the Committee on Courts of Justice, to whom was referred a bill, which originated in the House of Representatives, entitled

An act creating magisterial district No. 10, in Union county,

Reported the same, with the expression of opinion that said bill ought not to pass.

And the question being taken on ordering said bill to be read a third time, the opinion of the committee to the contrary notwithstanding, it was decided in the negative.

So said bill was disagreed to.

Mr. Darby, from the Committee on Courts of Justice, asked to be discharged from the further consideration of a bill, which originated in the House of Representatives, entitled

An act to amend the charter of the town of Harrodsburg.

Ordered, That said bill be referred to the Committee on Religion and Morals.

Mr. Haggard moved to withdraw the motion heretofore made by him to reconsider the vote by which the Senate had passed a bill, which originated in the House of Representatives, entitled

An act to incorporate the Henderson Bridge Company.

Which was granted.

A message was received from the House of Representatives, asking leave to withdraw the announcement of their passage of a bill, which originated in the House of Representatives, entitled

An act to amend the charter of the Madisonville and Shawneetown Straight-line Railroad Company.

Which was granted, and the bill delivered to the messenger.

The Senate, according to order, took up for consideration a bill, entitled

A bill regulating the inspection and selling of tobacco in the city of Louisville,

Together with the pending amendment proposed by Mr. Chelf on yesterday, which was to strike out the eighteenth section of said bill.

The question was then taken on the adoption of said amendment, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Cooper and Haggard, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	Edwin Hawes,	O. D. McManama,
W. H. Chelf,	John W. Johnson,	Alfred T. Pope,
James F. Clay,	Wm. Johnson,	E. D. Standeford,
F. W. Darby,	A. L. Martin,	Ben. J. Webb—13.
W. McKee Fox,		

Those who voted in the negative, were—

Robert Boyd,	William P. Duvall,	G. A. C. Holt,
R. A. Burton,	John J. Gatewood,	A. L. McAfee,
J. Q. Chenoweth,	Jesse C. Gilbert,	K. F. Prichard,
Harrison Cockrill,	D. R. Haggard,	A. G. Talbott,
Wm. L. Conklin,	H. S. Hale,	W. L. Vories,
John E. Cooper,	Thomas F. Hargis,	Emery Whitaker,
J. H. Dorman,	J. B. Haydon,	Thos. Wrightson—21.

Mr. Conklin then moved to amend said bill as follows, viz:

In section eighteen, strike out all after the tenth line in said section.

And the question being taken thereon, it was decided in the affirmative.

Mr. Hargis moved to amend said bill as follows, viz:

Amend eighteenth section, lines one and two, by striking out the words "the following counties," and insert in lieu thereof the words "any of the counties."

Which was adopted.

Mr. Haggard moved to amend said bill as follows, viz:

Amend section five, line twenty-first, by inserting after the word "pay" the word "to," and after the word "him" insert the word "only."

Which was adopted.

Mr. Haggard moved further to amend said bill as follows, viz:

Amend section six, line three, by striking out the words "tobacco-growing."

Which was adopted.

Mr. Haggard moved further to amend said bill as follows, viz:

Amend section six, line four, by filling the blank with the number "18."

Which was adopted.

Mr. Haggard moved further to amend said bill as follows, viz:

Amend section eight, line seven, by striking out all after the words "three thousand pounds."

Which was adopted.

Mr. Conklin then moved to amend said bill by adding thereto the following additional section, viz:

That so much of the fifth and sixth sections of an act, entitled "An act regulating the inspection and selling of tobacco in the city of Louisville," approved March 12th, 1870, as authorizes the warehousemen of the city of Louisville to furnish lists of names from which the Governor is to appoint inspectors and weighers of tobacco in the city of Louisville, be, and the same is hereby, repealed.

Which was adopted.

Mr. Haggard moved further to amend said bill as follows, viz:

Amend section ten, in line three: after the word "weighers" insert the words "or clerks in the warehouses."

Which was adopted.

Mr. John W. Johnson then moved to amend said bill, as amended, by substituting in lieu thereof the following, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That an act, entitled "An act regulating the inspection and

selling of tobacco in the city of Louisville," approved March 12th, 1870, be, and the same is hereby, amended as follows: strike out in the fifth section as follows: "From a list of twenty names furnished to him by the warehousemen of the city of Louisville." Amend same section as follows: strike out as follows all after "the Governor shall have the power to remove any of said inspectors at his pleasure," and insert in lieu thereof "and it shall be his duty to do so for incompetency, lack of integrity, industry, or for other good and sufficient cause, and appoint others in their stead."

§ 2. That section six of said act be amended as follows: strike out as follows: "from a list of thirty names, to be furnished by the warehousemen of the city of Louisville."

§ 3. That section seven be amended as follows: strike out all after "the Governor shall have power to remove any of said weighers from office at his pleasure," and insert "and it shall be his duty to do so for incompetency, lack of integrity, industry, or for other good cause, and appoint others in their stead.

Mr. Darby then moved to amend the amendment proposed by Mr. John W. Johnson by adding to the third section thereof the following, viz:

That hereafter only five pounds shall be deducted for sample, instead of ten pounds.

Which was adopted.

The question was then taken on the adoption of the amendment proposed by Mr. John W. Johnson, as amended, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Haggard and Barlow, were as follows, viz:

Those who voted in the affirmative, were—

R. A. Burton,	F. W. Darby,	E. D. Standeford,
W. H. Chelf,	John W. Johnson,	W. L. Vories,
James F. Clay,	Alfred T. Pope,	Ben. J. Webb—9.

Those who voted in the negative, were—

John S. Barlow,	John J. Gatewood,	A. L. Martin,
J. Q. Chenoweth,	Jesse C. Gilbert,	A. L. McAfee,
Wm L. Conklin,	D. R. Haggard,	O. D. McManama,
G. W. Connor,	H. S. Hale,	K. F. Prichard,
John E. Cooper,	Edwin Hawes,	A. G. Talbott,
J. H. Dorman,	J. B. Haydon,	Emery Whitaker,
William P. Duvall,	William Johnson,	Thos. Wrightson—22.
W. McKee Fox,		

Mr. Conklin then moved further to amend said bill by adding thereto the following additional section, viz:

No other fees or charges shall be made than are allowed by this act.

Which was adopted.

Ordered, That said bill, as amended, be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Hawes and Haggard, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	Wm. P. Duvall,	William Johnson,
R. A. Burton,	John J. Gatewood,	A. L. Martin,
J. Q. Chenoweth,	Jesse C. Gilbert,	A. L. McAfee,
Wm. L. Conklin,	D. R. Haggard,	O. D. McManama,
G. W. Connor,	H. S. Hale,	K. F. Prichard,
John E. Cooper,	J. B. Haydon,	A. G. Talbott,
F. W. Darby,	G. A. C. Holt,	Emery Whitaker,
J. H. Dorman,	John W. Johnson,	Thos. Wrightson—24.

Those who voted in the negative, were—

W. H. Chelf,	Edwin Hawes,	E. D. Standeford,
James F. Clay,	Alfred T. Pope,	Ben. J. Webb—7.
W. McKee Fox,		

Resolved, That the title of said bill be as aforesaid.

Leave was given to bring in the following bills, viz:

On motion of Mr. Duvall—

1. A bill for the benefit of school district No. 60, in Scott county.

On motion of Mr. Cockrill—

2. A bill to repeal an act, entitled "An act prohibiting the vending or sale of spirituous, vinous, or malt liquors within two miles of any of the furnaces owned by the Red River Iron Manufacturing Company, in Estill and Powell counties," approved March 17th, 1870.

On motion of Mr. Hargis—

3. A bill to incorporate the Northeastern Kentucky Seminary, at Grayson, Kentucky.

Ordered, That the Committee on Education prepare and bring in the 1st; the Committee on Religion and Morals the 2d, and the Committee on the Judiciary the 3d.

And then the Senate adjourned.

THURSDAY, FEBRUARY 8, 1872.

A message was received from the House of Representatives, announcing that they had concurred in the amendment proposed by the Senate to a bill, which originated the House of Representatives, entitled

An act for the benefit of late clerks, sheriffs, jailers, constables, magistrates, and other officers of this Commonwealth.

That they had passed a bill, which originated in the Senate, entitled

An act to mark and define the boundary line between the counties of Muhlenburg and McLean.

On motion of Mr. Cockrill, a message was sent to the House of Representatives, asking leave to withdraw the announcement of their passage of a bill, which originated in the House of Representatives, entitled

An act to amend an act, entitled "An act to incorporate the Red River Iron Manufacturing Company."

After a short time, said bill was handed in at the Clerk's desk.

Said bill was taken up, and, on motion, the votes by which said bill was passed, the third reading dispensed with, and that ordering it to be read a third time, were reconsidered.

Mr. Cockrill then moved to reconsider the vote by which the Senate had amended said bill.

And the question being taken thereon, it was decided in the affirmative.

Mr. Cockrill then moved to amend said bill by substituting another in its stead.

Which amendment was adopted.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The Speaker announced the following as the committee raised by the Senate to investigate the charges made by the Louisville Commercial against a Senator now holding a seat in that body, viz: Messrs. Hargis, Dorman, Pope, Campbell, and Whitaker.

The following petitions were presented, viz:

By Mr. Darby—

1. The petition of sundry citizens of Crittenden county, praying the passage of an act to prohibit the sale of spirituous liquors in said county.

By Mr. Duvall—

2. The petition of sundry citizens of Cynthiana, praying the passage of an act amending the charter of said town.

By Mr. Whitaker—

3. The petition of sundry citizens of East Maysville, asking that the act annexing that place to Maysville be enforced.

By Mr. Haggard—

4. The petition of sundry citizens of Cumberland county, praying the passage of an act allowing a pension to such soldiers of the late war who enlisted in the service of the State of Kentucky, but were never mustered into the service of the Government of the United States.

By Mr. McManama—

5. The petition of sundry citizens of Grant county, praying the passage of an act to prevent the sale of intoxicating liquors within three miles of the town of Dry Ridge, in Grant county.

By same—

6. The petition of sundry citizens of the town of Crittenden, in Grant county, praying the passage of an act to prevent the sale of spirituous liquors within one mile of the limits of said town.

Which petitions were received, the reading dispensed with, and referred—the 1st, 5th, and 6th to the Committee on Religion and Morals; the 2d to the Committee on Propositions and Grievances; the 3d to the Committee on the Judiciary, and the 4th to the Committee on Military Affairs.

The following bills were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Webb, from the Committee on Agriculture and Manufactures—

A bill to amend section 7, chapter 105, of the Revised Statutes, in relation to weights and measures.

By Mr. Prichard, from the Committee on Penitentiary and House of Reform—

A bill to provide for the erection of a prison-house for females, and

a spinning-walk; to extend the walls of the Penitentiary, and repair the walls and Penitentiary buildings.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, the 2d was made the special order of the day for Tuesday next, the 13th inst., and the 1st was ordered to be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. John W. Johnson offered the following resolutions, viz:

Resolved, That the chairman of the Committee on Religion and Morals is hereby authorized to issue his order for any papers which may be had which will give any information in the investigation of a matter which is now pending before said committee, which order shall be obligatory on the party holding the papers to deliver them up.

Which was twice read and adopted.

Mr. Webb, from the Committee on Agriculture and Manufactures, to whom had been referred a bill, which originated in the House of Representatives, entitled

An act to amend an act to incorporate the Clark County Agricultural Association,

Reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Webb, from the Committee on Agriculture and Manufactures, to whom had been referred a resolution, which originated in the House of Representatives, entitled

Resolution directing distribution of Owen's Geological Survey,

Reported the same, with the expression of opinion that said resolution should be concurred in.

On motion,

Ordered, That the further consideration of said resolution be postponed, and that it be placed in the orders of the day.

The Senate, according to order, took up for consideration an engrossed bill, entitled

A bill to amend section 3, article 3, chapter 100, of the Revised Statutes.

On motion, the votes by which the third reading of said bill had been dispensed with, and that ordering it to be read a third time, were reconsidered.

Said bill was then amended.

Ordered, That said bill, as amended, be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be amended to read,

An act authorizing incorporated towns to establish work-houses and station-houses, and authorizing the confinement of persons guilty of violating town ordinances to be confined in the work-house, or put to work on the streets.

The Senate, according to order, took up for consideration a bill, entitled

A bill to establish a Bureau of Immigration and Labor.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That there is hereby established in the city of Louisville a Bureau of Immigration for the State of Kentucky.

§ 2. That the Governor shall nominate, and by and with the advice of the Senate appoint, a suitable person to take charge of and administer the affairs of said Bureau, who shall be styled the "Commissioner of Immigration," and shall hold his office for two years, and until his successor is duly appointed and qualified. The first appointment of the Commissioner shall be made within thirty days after the passage of this act.

§ 3. That the said Commissioner, before he enters upon the discharge of the duties of his office, shall take an oath, or make affirmation, before any officer of the State having authority to administer oaths, to the effect that he will faithfully and impartially, to the best of his ability, perform all the duties required of him by this act. He shall also covenant with and to the Commwealth of Kentucky, with two or more sufficient sureties, to be approved by the Governor, who is *ex officio* authorized to take said covenant on behalf of the State, to the effect that he will honestly and faithfully apply and account for whatever moneys which shall come into his possession or under his control as Commissioner of Immigration for the State of Kentucky, as required by this act; and that he will, in all respects, to the best of his ability, discharge all the duties of his office. The said

Commissioner shall reside and keep his office in the city of Louisville, and shall strictly devote the whole of his time and energies to the duties of his office, and in the promotion of the objects of this act. No person shall be eligible as Commissioner or Agent who holds or discharges any office or agency under the State of Kentucky, or any city, county, or corporation, or any department thereof, except militia officers of Kentucky. He shall collect, as fully as practicable, statistics of the agricultural, mineral, manufacturing, and other resources of the State, and he shall also prepare maps, pamphlets, circulars, and publications adapted to general circulation in Europe or elsewhere, in as many languages as he may deem advisable, containing such information concerning the geography of the State, its climate and resources, as he may deem necessary or proper to be known and understood. He shall report to the Governor of this Commonwealth, on the first days of July and January in each year, a full account of his administration of the affairs of said Bureau, including the itemized accounts of the traveling and all other expenses of the agents hereinafter provided for; and the Governor is required to lay said reports before the General Assembly at the commencement, as near as may be, of each session thereof. The Commissioner shall have authority, and it shall be his duty, to make rules and regulations for the government of the agents connected with, or in the service of, said Bureau, and give all necessary instructions to said agents, whether employed at home or abroad: *Provided*, said rules, regulations, and instructions shall be first submitted to, and approved by, the Governor. He shall, by circulars sent by mail or otherwise, to the clerks of the county courts of the respective counties of this State, give all needful information of the mode and manner by which the citizens of this State may avail themselves of the benefits arising from immigration secured through the agency of this Bureau. He shall have power and authority to designate one or more depots in this State at which immigrants may be received, and to make the necessary arrangements to take care of them until employment is procured. Said Commissioner shall distribute such immigrants as may arrive, so far as he is able to do so, equally and equitably among the various sections of the State; and he is authorized, if he deem it advisable, to co-operate with, and furnish publications to, any society, organization, or association, for the accomplishment of the purposes of this act.

§ 4. The said Commissioner shall keep an intelligent memorandum, in a well-bound book, of all applications for immigrants, the number desired, proposed wages and terms of employment; also of all proposals for the sale or lease of property to immigrants, with a brief description of its location, value, kind of soil, terms of sale, and of such other matters pertaining thereto as may be of value to the immigrant; but no application shall be received except it be made by a citizen of this State, and accompanied by a certificate under the seal of the county court clerk of his or her residence, that he or she is a person of honesty and good character, and pecuniarily responsible for his or her contracts; and he shall, when he deems the

same necessary, forward said application to the foreign agents, with instructions to supply such demands as soon as practicable.

§ 5. Immigrants coming to this State shall be exempt from taxation, either State, county, or municipal, for the period of three years after their arrival. This exemption shall be limited to a maximum of taxation upon 100 acres of land, and the implements and stock to cultivate the same; and to those who are not engaged in agriculture their personal or real property to the maximum value of $5,000 shall be likewise exempt for the same period. Said immigrants shall also be exempt from military or militia service for three years. The Commissioner shall keep a record of the time of arrival, and the names of all immigrants, their avowed destination, and such other facts as will enable the immigrant to avail himself of the benefits of this section. And such record, or a certified copy thereof, shall be competent evidence in the courts of this Commonwealth.

§ 6. That the Commissioner shall not, nor shall any agent or officer connected with or in the service of said Bureau, have power to pledge the credit of this State to any person or persons, or corporation, in any manner whatsoever, for any sum of money beyond what shall be by the General Assembly appropriated to the use of said Bureau; nor shall it be lawful for said Commissioner to expend more money in conducting the affairs of said Bureau than is specifically appropriated by this act.

§ 7. That the said Commissioner shall be entitled to receive for his services an annual salary of dollars, payable quarterly out of the Treasury.

§ 8. The printing necessary for said Bureau shall be done where the Commissioner can have the same done at the cheapest rate; but the expense thereof shall come out of the sum specified in section 17 of this act.

§ 9. That the Commissioner is authorized to appoint, with the consent of the Governor, an agent, who shall reside in New York or other seaboard city, as the Commissioner and Governor may designate, and whose duty it shall be to receive from shipboard immigrants destined for this State, and to forward them to such points as may be designated, prevent their diversion to other States, and to obtain the most favorable terms from railway companies for their conveyance, both as to cheapness of fare and speedy transit; and he shall see that such stipulations are at all times carried out in good faith, and such other duties connected with the objects of this act as said Commissioner may prescribe.

§ 10. That the said Commissioner is, in like manner, authorized to appoint as many as two (2) other agents, whose duty it shall be to visit Europe to furnish all necessary information to persons desiring to emigrate to this State, and to perform all that may be required of them by said Commissioner, that may be lawfully done, to induce honest and industrious emigrants to come to this State.

§ 11. That the said agents respectively shall be required to take an oath, or make affirmation, and enter in a covenant with the Commonwealth of Kentucky, with two or more sufficient sureties, to be

approved by the Governor, to the same effect as is required by this act of the said Commissioner.

§ 12. That the said agents shall be commissioned by the Governor, under the great seal of this Commonwealth, and may be removed at any time by the said Commissioner, by and with the consent of the Governor, and others appointed in their place; and any vacancy, whether caused by death, resignation, or removal, shall be filled by the appointment of the Commissioner, with the consent of the Governor.

§ 13. The agents who may be sent abroad shall be able to speak with fluency, and write with accuracy, the English language and the language of the people to whom they shall be sent.

§ 14. The agent assigned to the city of New York, or other city on the seaboard, shall be entitled to receive an annual salary of dollars, to be paid quarterly out of the Treasury.

§ 15. The agents sent abroad shall each receive an annual salary of dollars, payable in gold, quarterly, out of the Treasury, and shall also receive dollars each for traveling expenses, payable in like manner.

§ 16. The Governor shall appoint the Commissioner, or fill any vacancy in the office of Commissioner during the recess of the Senate, which appointment shall expire at the end of the next session of the Senate.

§ 17. That the sum of dollars, in addition to the sums aforesaid, be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to the use of said Bureau, to be drawn by the said Commissioner, with the written indorsement of the Governor and Secretary of State, from time to time, as may be needed to carry out the objects and purposes of this act, upon warrants issued by the Auditor of Public Accounts.

§ 18. This act shall take effect from its passage.

Mr. Pope moved to amend said bill as follows, viz:

In section seven, line two, fill the blank with the words "three thousand." In section fourteen, line two, fill the blank with the words "twenty-five hundred." In section fifteen, line two, fill the blank with the words "three thousand." In same section, line three, fill the blank with the words "one thousand." In section seventeen, line one, fill the blank with the words "sixty-five hundred."

The vote was then taken separately on the adoption of each of the proposed amendments, and it was decided in the affirmative.

Mr. Talbott then moved to amend said bill as follows, viz:

Strike out the eighteenth section of the bill, and insert in lieu thereof the following: "That this act shall not take effect unless it shall first have been approved by a majority of all the votes cast at the next August election."

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Talbott and Pope, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	F. W. Darby,	A. G. Talbott,
Robert Boyd,	Edwin Hawes,	W. L. Vories,
R. A. Burton,	J. B. Haydon,	Thos. Wrightson—9.

Those who voted in the negative, were—

E. P. Campbell,	W. McKee Fox,	William Johnson,
W. H. Chelf,	W. W. Frazer,	A. L. Martin,
James F. Clay,	Jesse C. Gilbert,	Alfred T. Pope,
Wm L. Conklin,	D. R. Haggard,	K. F. Prichard,
G. W. Connor,	H. S. Hale,	E. D. Standeford,
John E. Cooper,	G. A. C. Holt,	Ben. J. Webb,
J. H. Dorman,	John W. Johnson,	Emery Whitaker—22.
William P. Duvall,		

Mr. Wrightson then moved to amend said bill as follows, viz:

In section four, line six, after the word "immigrant," and before the word "but," insert the following: "upon all sales of property a commission of one per cent. on the gross amount of such sales shall be charged, to be paid into the State Treasury, and the entry of any such property in the books of the Bureau for sale shall be considered a proposition binding the party making such entry for such specific period as may be named in the entry to sell the same at the price fixed at the time of making such entry."

And the question being taken on the adoption of said amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Wrightson and Hawes, were as follows, viz:

Those who voted in the affirmative, were—

Robert Boyd,	Edwin Hawes,	Thos. Wrightson—5.
Wm. L. Conklin,	K. F. Prichard,	

Those who voted in the negative, were—

John S. Barlow,	William P. Duvall,	A. L. Martin,
R. A. Burton,	W. McKee Fox,	A. L. McAfee,
E. P. Campbell,	W. W. Frazer,	O. D. McManama,
W. H. Chelf,	John J. Gatewood,	Alfred T. Pope,
James F. Clay,	Jesse C. Gilbert,	E. D. Standeford,
Harrison Cockrill,	D. R. Haggard,	A. G. Talbott,
G. W. Connor,	H. S. Hale,	W. L. Vories,
John E. Cooper,	G. A. C. Holt,	Ben. J. Webb,
F. W. Darby,	John W. Johnson,	Emery Whitaker—29.
J. H. Dorman,	Wm. Johnson,	

Mr. Wrightson moved to amend said bill as follows, viz:

Section five, line six, strike out all preceding the words "said immigrants."

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Wrightson and Clay, were as follows, viz:

Those who voted in the affirmative, were—

Robert Boyd,	F. W. Darby,	O. D. McManama,
R. A. Burton,	W. W. Frazer,	K. F. Prichard,
James F. Clay,	Edwin Hawes,	A. G. Talbott,
Wm. L. Conklin,	J. B. Haydon,	Thos. Wrightson—12.

Those who voted in the negative, were—

John S. Barlow,	William P. Duvall,	Wm. Johnson,
E. P. Campbell,	W. McKee Fox,	A. L. Martin,
W. H. Chelf,	John J. Gatewood,	Alfred T. Pope,
J. Q. Chenoweth,	Jesse C. Gilbert,	E. D. Standeford,
Harrison Cockrill,	D. R. Haggard,	W. L. Vories,
John E. Cooper,	H. S. Hale,	Ben. J. Webb,
J. H. Dorman,	John W. Johnson,	Emery Whitaker—21.

Mr. Wrightson again moved to amend said bill as follows, viz:

In section five, line one, insert after the word "State" the following: "whether from foreign countries or from neighboring States."

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Hawes and Wrightson, were as follows, viz:

Those who voted in the affirmative, were—

Robert Boyd,	Edwin Hawes,	Thos. Wrightson—4.
E. P. Campbell,		

Those who voted in the negative, were—

John S. Barlow,	William P. Duvall,	William Johnson,
R. A. Burton,	W. McKee Fox,	O. D. McManama,
W. H. Chelf,	W. W. Frazer,	Alfred T. Pope,
J. Q. Chenoweth,	John J. Gatewood,	K. F. Prichard,
James F. Clay,	Jesse C. Gilbert,	E. D. Standeford,
Harrison Cockrill,	D. R. Haggard,	A. G. Talbott,
Wm. L. Conklin,	H. S. Hale,	W. L. Vories,
John E. Cooper,	J. B. Haydon,	Ben. J. Webb,
F. W. Darby,	John W. Johnson,	Emery Whitaker—28.
J. H. Dorman,		

Ordered, That said bill, as amended, be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the negative, a constitutional majority not having voted therefor.

The yeas and nays being required thereon, in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

E. P. Campbell,	John E. Cooper,	O. D. McManama,
W. H. Chelf,	William P. Duvall,	Alfred T. Pope,
J. Q. Chenoweth,	W. McKee Fox,	K. F. Prichard,
James F. Clay,	Jesse C. Gilbert,	E. D. Standeford,
Harrison Cockrill,	John W. Johnson,	Ben. J. Webb,
Wm. L. Conklin,	A. L. Martin,	Emery Whitaker—18.

Those who voted in the negative, were—

John S. Barlow,	John J. Gatewood,	J. B. Haydon,
R. A. Burton,	D. R. Haggard,	William Johnson,
F. W. Darby,	H. S. Hale,	A. G. Talbott,
J. H. Dorman,	Edwin Hawes,	Thos. Wrightson—13.
W. W. Frazer,		

Mr. Gatewood then moved to reconsider the vote by which the Senate had rejected said bill.

And the question being taken thereon, it was decided in the affirmative.

Ordered, That said bill be recommitted to the Committee on Immigration and Labor.

Leave was given to bring in the following bills, viz:

On motion of Mr. Cockrill—

1. A bill to protect deer in the counties of Estill, Lee, Powel Jackson, Wolfe, and Owsley.

On motion of Mr. Wm. Johnson—

2. A bill amending an act requiring judges of the county courts and justices of the peace to execute bond.

On motion of Mr. Chenoweth—

3. A bill, entitled "An act to amend an act, approved March 10th, 1871, entitled 'An act transferring the property and debts owing to the trustees of the Harrodsburg Academy, known also as the Mercer County Seminary, to the board of trustees of the town of Harrodsburg for common school purposes, and authorizing said board to sue for the same.'"

On motion of Mr. Gilbert—

4. A bill to amend an act, entitled "An act to incorporate the Paducah and Illinois Bridge Company," approved March 5th, 1868.

On motion of same—

5. A bill to repeal sections 142 and 143 of the Civil Code, requiring pleadings to be verified.

On motion of same—

6. A bill for the benefit of certain late sheriffs and their sureties.

On motion of Mr. McAfee—

7. A bill for the benefit of R. D. Smith, of Jessamine county.

On motion of Mr. Cooper—

8. A bill to amend section 28, title "Crimes and Punishments," of the Revised Statutes.

On motion of same—

9. A bill to incorporate the Lee County Lumbering and Mining Company.

On motion of same—

10. A bill to incorporate the town of Beattyville, in Lee county.

On motion of Mr. Dorman—

11. A bill to legalize certain proceedings of the Boone county court.

On motion of Mr. McManama—

12. A bill for the benefit of R. H. Brumback, of Pendleton county.

On motion of same—

13. A bill to amend the charter of the town of Crittenden, in Grant county.

Ordered, That the Committee on Propositions and Grievances prepare and bring in the 1st; the Committee on Revised Statutes and Codes of Practice the 2d, 5th, 8th, 9th, and 10th; the Committee on Charitable Institutions the 3d; the Committee on Finance the 6th; the Committee on Claims the 7th; the Committee on Courts of Justice the 11th; the Committee on Religion and Morals the 13th; that a select committee, consisting of Messrs. Gilbert, Hale, and Holt, be requested to prepare and bring in the 4th; also, that a select committee, consisting of Messrs. McManama, Clay, and Gatewood, be requested to prepare and bring in the 12th.

Mr. Cooper, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act to amend section 1, article 1, chapter 4, of the Revised Statutes;

An act to provide for defining and marking the line between the counties of Christian and Caldwell;

An act amending section 13, chapter 30, of the Revised Statutes, title "Descent and Distribution;"

An act for the benefit of Wm. A Byrum, sheriff of Nicholas county;

And enrolled bills and resolutions, which originated in the House of Representatives, of the following titles, viz:

An act to repeal part of an act, entitled "An act to prohibit the sale of intoxicating liquors along the line of certain turnpike roads in Washington county," approved February 24th, 1871;

An act regulating the taking of bail bonds;

An act to amend the law in regard to crimes and punishments;

An act to prohibit the sale of vinous, spirituous, or malt liquors in Nelson county;

An act to prohibit the sale of intoxicating liquors in Benson district, in Franklin county;

An act for the benefit of James M. Greenwade, late sheriff of Menifee county;

An act to repeal the charter of the Methodist Episcopal Church, South, of Louisville;

An act to amend the charter of the city of Augusta, in Bracken county;

An act to amend an act, entitled "An act to incorporate the town of Earlington;"

An act to incorporate the town of Fulton, in Fulton county;

An act to incorporate the town of Jackson;

An act to change the time of holding the McCracken county court of claims;

An act for the benefit of V. M. Deweese, of Butler county;

An act to authorize the county judge of Lincoln county to sell and convey the poor-house property in said county, and reinvest the proceeds;

An act for the benefit of Greenup county;

An act to amend an act, entitled "An act to incorporate the Cottage Furnace Iron and Manufacturing Company, in Estill county;"

An act regulating the time of holding the circuit courts in the counties of Perry, Breathitt, and Clay;

An act to amend an act, entitled "An act to authorize the city of Newport to supply itself and others with pure water, and to establish water-works," approved January 26th, 1871;

Resolution in regard to the public buildings;

Resolution providing for an examination of the charitable institutions of the State;

And had found the same truly enrolled.

Said bills and resolutions having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Cooper reported that the committee had performed that duty.

And then the Senate adjourned.

FRIDAY, FEBRUARY 9, 1872.

A message was received from the House of Representatives, announcing their disagreement to the passage of a bill, which originated in the Senate, entitled

An act amending article 5, chapter 2, title 9, of the Civil Code of Practice.

That they had concurred in the amendment proposed by the Senate to a bill, which originated in the House of Representatives, entitled

An act to amend the police court in the town of Hickman.

That they had passed bills, which originated in the Senate, of the following titles, viz:

An act repealing an act, approved March 7, 1871, entitled "An act authorizing and directing the sale of the interest and stock owned by the State of Kentucky in turnpike roads or turnpike road companies."

An act to amend section 112, chapter 1, title 6, of the Criminal Code of Practice.

An act to amend an act, entitled "An act for the benefit of the Eastern and Western Lunatic Asylums," approved February 18th, 1864.

An act to amend the charter of the Shelby Railroad Company.

That they had passed bills of the following titles, viz:

1. An act to amend an act, entitled "An act to incorporate the Mount Sterling and Spencer Creek Turnpike Road Company," approved May 24th, 1861.

2. An act to amend an act, entitled "An act to prevent justices of the peace in Kenton county from holding inquests in certain cases," approved March 22d, 1871.

3. An act to amend the charter of the Macpelah Cemetery, in Montgomery county.

4. An act to increase the jurisdiction of the police court of Lebanon.

5. An act to regulate proceedings in the courts of justices of the peace in Jefferson county and the city of Louisville.

6. An act to amend section 101 of the Criminal Code of Practice.

7. An act to incorporate the Danville and Nashville Railroad Company.

8. An act to incorporate the Maysville, Flemingsburg, Coal and Iron Region Railway Company.

9. An act for the benefit of the Cleaveland Orphan Asylum.

10. An act for the benefit of the Cleaveland Orphan Asylum.

11. An act to appropriate money for the benefit of the Commissioners of the Kentucky Institution for the Education and Training of Feeble-minded Children.

12. An act for the benefit of A. H. Calvin, of Fayette county.

13. An act for the benefit of Solomon Tingle, of Henry county.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st to the Committee on Internal Improvement; the 2d, 4th, and 5th to the Committee on Courts of Justice; the 3d to the Committee on the Judiciary; the 6th to the Committee on Revised Statutes and Codes of Practice; the 7th and 8th to the Committee on Railroads; the 9th and 10th to the Committee on Charitable Institutions; the 11th to the Committee on Appropriations, and the 12th and 13th to the Committee on Claims.

Mr. Cockrill presented the petition of sundry citizens of Powell county, praying the passage of an act for the benefit of the sureties of W. Frank Crawford, late common school commissioner of Powell county.

Which was received, the reading dispensed with, and referred to the Committee on Education.

The following bills were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Pope, from the Committee on Banks and Insurance—

1. A bill, entitled "An act to amend the charter of the Central Savings Bank, of Louisville," approved March 15th, 1869.

By Mr. Webb, from the Committee on Agriculture and Manufactures—

2. A bill to incorporate the Newport Gas-light and Fuel Company.

By Mr. Talbott, from the Committee on Charitable Institutions—

3. A bill to amend an act, approved March 10th, 1871, entitled "An act transferring the property and debts owing to the trustees of the Harrodsburg Academy to the trustees of the town of Harrodsburg, Kentucky, and authorizing them to sue for the same."

By Mr. John W. Johnson, from the Committee on Religion and Morals—

4. A bill to prohibit the sale of liquors in Crittenden, &c.

By Mr. Whitaker, from the Committee on Courts of Justice—

5. A bill for the benefit of the Middleburg and Liberty Turnpike Road Company.

By Mr. Darby, from the Committee on Courts of Justice—

6. A bill to authorize courts to require certain sales and warning orders to be advertised in newspapers.

By Mr. Duvall, from the Committee on Internal Improvement—

7. A bill to incorporate the Stamping Ground and Long Lick Turnpike Road Company, in Scott county.

By Mr. Wm. Johnson, from the Committee on the Judiciary—

8. A bill to amend the charter of the Big Sandy Navigation and Manufacturing Company.

By Mr. Wrightson, from the Committee on Privileges and Elections—

9. A bill to incorporate the district of Hayfield, in Campbell county.

By Mr. Chenoweth, from the Committee on Railroads—

10. A bill to amend the charter of the Louisville, Cincinnati, and Lexington Railroad Company.

By Mr. Conklin, from the Committee on Revised Statutes and Codes of Practice—

11. A bill amending sections 87 and 450 of the Civil Code of Practice.

By same—

12. A bill authorizing the appointment of secretaries of courts to take down evidence.

By Mr. John W. Johnson, from the Committee on Religion and Morals—

13. A bill to prohibit the sale of spirituous, vinous, or malt liquors in Morgantown, or within one half mile of the corporate limits thereof.

By same—

14. A bill to amend an act, entitled "An act to amend the charter of Hartford," approved March 2d, 1867.

By Mr. Whitaker, from the Committee on Banks and Insurance—

15. A bill to amend an act, entitled "An act to establish the People's Bank," approved February 15th, 1856.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, the 2d was referred to the Committee on the Judiciary; the 4th was placed in the orders of the day; the 6th was ordered to be printed, and placed in the orders of the day; the 10th was ordered to be printed, and made the special order of the day for next Wednesday, the 14th inst., and all the others were ordered to be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Barlow, from the Committee on Claims, reported a bill, entitled

A bill for the benefit of F. M. Roberts.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

Said bill was read a third time as follows, viz:

WHEREAS, In the year 1870, in Allen county, one Almand Maynor did murder one Calvin J. Willoughby, of Allen county, and did then flee from the State; and whereas, said Maynor was indicted in the Allen circuit court for said murder, and the Governor of Kentucky did, on the 11th day of August, 1870, offer a reward of $500 for the apprehension of said fugitive murderer; and whereas, it appears to this General Assembly that said Maynor was a dangerous and violent man; and it appearing that said Maynor fled to the State of Tennessee, and county of Putnam, and that F. M. Roberts, deputy sheriff of said county, having seen said reward, went with a posse to arrest said

Maynor to bring him to trial in Allen county, Kentucky, who resisted and attempted to shoot said officer and his posse, who, in defense of himself and posse, shot and killed said Maynor; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts of Kentucky be, and he is hereby, directed to draw his warrant on the Treasurer of Kentucky for $500 in favor of F. M. Roberts, and that the same be paid out of any money in the Treasury not otherwise appropriated.

§ 2. This act to take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	William P. Duvall,	A. L. Martin,
R. A. Burton,	W. McKee Fox,	A. L. McAfee,
J. Q. Chenoweth,	W. W. Frazer,	E. D. Standeford,
James F. Clay,	John J. Gatewood,	A. G. Talbott,
Harrison Cockrill,	D. R. Haggard,	W. L. Vories,
G. W. Connor,	G. A. C. Holt,	Emery Whitaker—20.
J. H. Dorman,	John W. Johnson,	

Those who voted in the negative, were—

E. P. Campbell,	Jesse C. Gilbert,	Alfred T. Pope,
Wm. L. Conklin,	Edwin Hawes,	K. F. Prichard,
John E. Cooper,	William Johnson,	Ben. J. Webb,
F. W. Darby,	O. D. McManama,	Thos. Wrightson—12.

Resolved, That the title of said bill be as aforesaid.

On motion, leave of indefinite absence was granted to Messrs. Chelf, Hale, and Hargis.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Holt, from the Committee on Courts of Justice—

An act requiring the circuit and county clerks of Montgomery to index and cross-index certain records, and prescribing the manner of payment for performing such work.

By Mr. Gilbert, from the Committee on Courts of Justice—

An act authorizing the clerk of the Harrison circuit court to complete and continue a cross-index to judgments.

By same—

An act to amend an act, entitled "An act to amend the road law in Bracken county."

By Mr. Standeford, from the Committee on Internal Improvement—

An act to amend the charter of the Kentucky River Turnpike Road Company.

By same—

An act for the benefit of the Winchester and Red River Iron Works Turnpike Road Company, and the Schoolsville branch of same road.

By same—

An act for the benefit of the Mount Sterling and Levee Turnpike Road Company.

By Mr. Cooper, from the Committee on Revised Statutes and Codes of Practice—

An act to repeal in part an act, entitled "An act in relation to official sales in Boyle and Lincoln counties," approved March 7th, 1871.

By same—

An act to amend section 17, chapter 24, Revised Statutes.

By Mr. Haggard, from the Committee on Internal Improvement—

An act incorporating the Goshen, Oldhamburg, and Sligo Turnpike Road Company.

By Mr. Wm. Johnson, from the Committee on the Judiciary—

An act to extend the terms of the Wayne circuit court, and to change the time of holding the Russell and Casey circuit courts, in the 8th judicial district.

By Mr. Gatewood, from the Committee on Revised Statutes and Codes of Practice—

An act to amend section 37, chapter 1, Civil Code of Practice.

By Mr. John W. Johnson, from the Committee on Religion and Morals—

An act to regulate the sale of spirituous liquors in Boyle county.

By same—

An act to prohibit the sale of ardent spirits in Breathitt and Powell counties.

By Mr. Martin, from the Committee on Library and Public Buildings and Offices—

An act to amend the charter of the Lexington Library.

With amendments to the last six named bills.

Which were adopted.

Ordered, That said bills, the last six as amended, be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Talbott, from the Committee on Charitable Institutions, to whom had been referred a bill, which originated in the House of Representatives, entitled

An act relating to the Lunatic Asylums and other institutions of public charity in the State,

Reported the same without amendment.

Ordered, That said bill be printed, and placed in the orders of the day.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Whitaker, from the Committee on Courts of Justice—

An act to amend the charter of the city of Frankfort, regulating fees of police judge and marshal.

By Mr. Conklin, from the Committee on Revised Statutes and Codes of Practice—

An act to amend section 4, article 1, chapter 99, of the Revised Statutes.

With the expression of opinion that said bills ought not to pass.

And the question being taken on ordering said bills to be read a third time, the opinion of the committee to the contrary notwithstanding, it was decided in the negative.

So said bills were disagreed to.

Mr. Conklin, from the Committee on Revised Statutes and Codes of Practice, to whom was referred a bill, which originated in the House of Representatives, entitled

An act to amend the charter of the city of Columbus, in Hickman county,

Reported the same without amendment.

Ordered, That said bill be made the special order of the day for Thursday, the 15th inst.

Mr. John W. Johnson, from the Committee on Religion and Morals, to whom had been referred a bill, which originated in the House of Representatives, entitled

An act to amend the charter of the town of Harrodsburg,

Reported the same, with the expression of opinion that said bill ought not to pass.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That section 1st of an act approved February 3d, 1871, chapter 1212, relating to the town of Harrodsburg, be, and the same is hereby, repealed.

§ 2. That the judge of the Mercer county court alone shall have authority to license the taverns, known as the Morgan and Poteet Houses, in said town; and that the trustees of said town shall have no power or authority to assess any additional tax upon said taverns so licensed. That all acts inconsistent with this act are hereby repealed.

§ 3. This act shall take effect from its passage.

Mr. Chenoweth moved to amend said bill as follows, viz:

Strike out the second and third sections of said bill; and add to the first section the following proviso: *Provided, however*, That before this act shall be of any force or effect, it shall be the duty of the trustees of the town of Harrodsburg to submit it to the decision of the qualified voters of said town, at an election to be held at the court-house in Harrodsburg on the first Monday in the month of March, 1872.

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. John W. Johnson and Chenoweth, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	G. W. Connor,	D. R. Haggard,
E. P. Campbell,	John E. Cooper,	William Johnson,
J. Q. Chenoweth,	F. W. Darby,	A. L. Martin,
James F. Clay,	Wm. P. Duvall,	Alfred T. Pope,
Harrison Cockrill,	John J. Gatewood,	A. G. Talbott,
Wm. L. Conklin,	Jesse C. Gilbert,	Emery Whitaker—18.

Those who voted in the negative, were—

J. H. Dorman,	Edwin Hawes,	O. D. McManama—5.
W. McKee Fox,	John W. Johnson,	

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Standeford and Webb, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	John E. Cooper,	Wm. Johnson,
E. P. Campbell,	F. W. Darby,	A. L. McAfee,

J. Q. Chenoweth,	Wm. P. Duvall,	O. D. McManama,
James F. Clay,	W. McKee Fox,	E. D. Standeford,
Wm. L. Conklin,	John J. Gatewood,	A. G. Talbott,
G. W. Connor,	Jesse C. Gilbert,	Thos. Wrightson—18.

Those who voted in the negative, were—

J. H. Dorman,	J. B. Haydon,	Ben. J. Webb,
D. R. Haggard,	John W. Johnson,	Emery Whitaker—7.
Edwin Hawes,		

Resolved, That the title of said bill be as aforesaid.

Mr. Cooper, from the Committee on Enrollments, reported that the committee had examined enrolled bills and a resolution, which originated in the Senate, of the following titles, viz:

An act to repeal an act, entitled "An act to amend section 611, Civil Code of Practice," approved March 4th, 1865;

An act to repeal an act, entitled "An act to amend section 760, Civil Code of Practice," approved March 4th, 1865;

Resolution calling on the Auditor for information in relation to receipts and disbursements within a given period;

And enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz:

An act to amend the act of March 21st, 1871, for the benefit of late clerks and other officers;

An act to incorporate the town of Boston Station, Pendleton county;

An act for the benefit of the Augusta and Minerva Turnpike Road Company, in Bracken county;

An act for the benefit of the Augusta and Dover Turnpike Road Company, in Bracken county;

An act authorizing the county court of levies and disbursements of Rockcastle county to levy an additional capitation and ad valorem tax for the purpose of building a new court-house, clerks' offices, &c., for said county;

An act to incorporate the Henderson Bridge Company;

An act to legalize the subscription of stock to the Newcastle and Kentucky River Turnpike Road Company by the court of claims of Henry county;

An act for the benefit of common school district No. 12, in Woodford county;

An act in relation to the levy court of Spencer county;

An act to regulate the civil jurisdiction of the police court in the city of Hickman, Fulton county;

An act to authorize the levy court of Union county to levy an additional tax to pay for work on roads and bridges;

An act to re-run and mark the dividing line between the counties of Hancock and Ohio;

An act in relation to delinquent tax-payers in Union county;

Resolution instructing our Senators, and requesting our Representatives in Congress, to secure an appropriation for locking and damming the Ohio river;

And had found the same truly enrolled.

Said bills and resolutions having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Cooper reported that the committee had performed that duty.

Leave was given to bring in the following bills, viz:

On motion of Mr. Cockrill—

1. A bill to repeal an act, entitled "An act to incorporate the town of Fitchburg, in Estill county," approved February 28th, 1870.

On motion of same—

2. A bill to amend an act, entitled "An act to incorporate the Cottage Furnace Iron and Manufacturing Company, in Estill county," acts 1869 and '70, page 15.

On motion of Mr. Haydon—

3. A bill to amend the charter of Elizabethtown, in Hardin county.

On motion of Mr. Pope—

4. A bill to provide for defraying the expense of bringing indigent blind children to the Kentucky Institution for the Blind.

On motion of same—

5. A bill to incorporate the Woodland Market-house Company.

On motion of Mr. Dorman—

6. A bill to incorporate an Agricultural and Mechanical Association at Walton, Boone county.

On motion of Mr. Conklin—

7. A bill to incorporate the Green River Lock and Dam Company.

On motion of same—

8. A bill for the benefit of O. G. Moore, sheriff of Edmonson county.

Ordered, That the Committee on Internal Improvement prepare and bring in the 1st, 2d, and 7th; the Committee on Courts of Justice

the 3d; the Committee on Charitable Institutions the 4th; the Committee on the Judiciary the 5th; the Committee on Agriculture and Manufactures the 6th, and the Committee on Revised Statutes and Codes of Practice the 8th.

The Senate, according to order, took up for consideration a bill, entitled

A bill authorizing the judges of the several courts of this Commonwealth to sign unsigned orders and judgments in said courts.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That where it appears to the satisfaction of a judge of a circuit court, court of common pleas, criminal court, chancery court, equity court, county court, or quarterly court, that orders and judgments have been regularly made and entered in any of said courts, and defective only in not having been signed by the judge making such order or judgment, it shall be lawful for the judge of said court to sign said orders and judgments; and when so signed, said orders and judgments shall be as valid and binding as if said orders and judgments had been signed by the judge making them.

§ 2. This act shall be in force from its passage.

Mr. Cooper then moved to amend said bill as follows, viz:

Amend section one by adding thereto the following proviso: *Provided*, That any party interested shall have the right, at the term at which such order or orders are signed, as herein provided, or at the next succeeding term of any of said courts, by motion and notice, as in cases to correct misprisions of the clerk, call in question the correctness of any such orders and judgments, and have the same corrected by order of the court, as shall be made to appear right and proper by the proceedings and evidence; and either party may file a bill of exceptions, and appeal as in other cases.

And the question being taken on the adoption of said amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Cooper and Holt, were as follows, viz:

Those who voted in the affirmative, were—

J. Q. Chenoweth,	William P. Duvall,	A. L. McAfee,
Harrison Cockrill,	D. R. Haggard,	O. D. McManama,
G. W. Connor,	J. B. Haydon,	W. L. Vories,
John E. Cooper,	G. A. C. Holt,	Emery Whitaker—14.
J. H. Dorman,	A. L. Martin,	

Those who voted in the negative, were—

John S. Barlow,	W. McKee Fox,	Wm. Johnson,
E. P. Campbell,	W. W. Frazer,	E. D. Standeford,
James F. Clay,	John J. Gatewood,	A. G. Talbott,
Wm. L. Conklin,	Jesse C. Gilbert,	Ben. J. Webb,
F. W. Darby,	Edwin Hawes,	Thos. Wrightson—15.

Mr. Wm. Johnson moved to amend said bill as follows, viz:

Add to the first section of the bill the following: "The court may require notice to be given to any of the parties concerned."

Pending the consideration of which, Mr. McManama moved an adjournment at half-past one o'clock, P. M.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Fox and Cooper, were as follows, viz:

Those who voted in the affirmative, were—

James F. Clay,	W. W. Frazer,	O. D. McManama,
Harrison Cockrill,	John J. Gatewood,	W. L. Vories,
Wm. L. Conklin,	D. R. Haggard,	Ben. J. Webb,
John E. Cooper,	Edwin Hawes,	Emery Whitaker,
J. H. Dorman,	John W. Johnson,	Thos. Wrightson—17.
W. McKee Fox,	A. L. Martin,	

Those who voted in the negative, were—

John S. Barlow,	G. W. Connor,	J. B. Haydon,
R. A. Burton,	F. W. Darby,	Wm. Johnson,
E. P. Campbell,	Jesse C. Gilbert,	A. G. Talbott—9.

And then the Senate adjourned.

SATURDAY, FEBRUARY 10, 1872.

A message was received from the House of Representatives, announcing that they had concurred in the amendment proposed by the Senate to a bill, which originated in the House of Representatives, entitled

An act to amend an act, entitled "An act to incorporate the Red River Iron Manufacturing Company."

That they had disagreed to the passage of a bill, which originated in the Senate, entitled

An act to re-enact an act to amend an act, entitled "An act to provide for the incorporation and regulation of Fire, Marine, Health,

Accident, Live Stock, and all other than Life Insurance Companies," approved March 12th, 1871.

That they had passed a bill, which originated in the Senate, entitled

An act to incorporate the Ludlow and Pleasant Run Turnpike Road Company.

That they had passed bills of the following titles, viz:

1. An act to amend the charter of the Elizabethtown and Paducah Railroad Company.

2. An act to empower the circuit judge of the 13th judicial district to fill by appointment the vacancy caused by the death of the late master commissioner in chancery for the Bath circuit court.

3. An act to authorize McKee Lodge, No. 35, I. O. O. F., at Versailles, to issue bonds.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st to the Committee on the Judiciary; the 3d to the Committee on Railroads, and the 2d was ordered to be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The following petition and remonstrance were presented, viz:

By Mr. McAfee—

1. The petition of sundry citizens of school district No. 9, in Jessamine county, praying the passage of an act to enable them to levy a tax to build a school-house in said district.

By Mr. Cockrill—

2. The remonstrance of sundry citizens of the town of Fitchburg against the proposed amendment to the charter of said town.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on Education, and the 2d to the Committee on Religion and Morals.

The Senate also, according to order, took up for consideration a bill, entitled

A bill authorizing the judges of the several courts of this Commonwealth to sign unsigned orders and judgments in said courts,

Together with the amendment heretofore proposed by Mr. Wm. Johnson.

Ordered, That said bill and amendment be printed, and referred to the Committee on the Judiciary.

A message in writing was received from the Governor by Mr. Botts, Assistant Secretary of State.

Said message was taken up and read as follows, viz:

STATE OF KENTUCKY, EXECUTIVE DEPARTMENT,
FRANKFORT, February 10th, 1872.

Gentlemen of the Senate:

I hereby nominate for your advice and consent the following persons as suitable to be commissioned as notaries public, viz:

R. S. Mosley, Jefferson county.
Joseph Pettus, Jefferson county.
Edward W. C. Humphrey, Jefferson county.
Richard A. Jones, Jefferson county.
W. P. Frederick, Jefferson county.
John Q. A. King, McCracken county.
George C. Thompson, McCracken county.
William Heffner, Montgomery county.
William H. Holt, Montgomery county.
Rufus H. Williams, Montgomery county.
William J. Heady, Anderson county.
Thomas J. Fuqua, Christian county.
Sam. E. Armstrong, Fleming county.
Thomas J. Henry, Morgan county, State at large.
E. L. Samuel, Jefferson county.

Respectfully,

P. H. LESLIE.

Resolved, That the Senate advise and consent to said appointments.

A message was also received from the Governor by Mr. Botts, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to amend an act, entitled "An act to incorporate the Stove, Grate, and Mantel Manufacturing Company," approved March 15th, 1869.

An act to prohibit the sale of spirituous, vinous, or malt liquors within one mile of the court-house in Edmonton.

An act to provide for defining and marking the line between the counties of Christian and Caldwell.

An act amending section 13, chapter 30, of the Revised Statutes, title "Descent and Distribution."

An act to amend section 1, article 1, chapter 4, of the Revised Statutes.

An act for the benefit of Wm. A Byrum, sheriff of Nicholas county.

On motion, leave of indefinite absence was granted to Messrs. Cooper, J. W. Johnson, Haydon, and Boyd.

On motion of Mr. Talbott, a message was sent to the House of Representatives, asking leave to withdraw the announcement of their passage of a bill, which originated in the House of Representatives, entitled

An act to change the time of holding the county court in Lincoln county.

After a short time, said bill was handed in at the Clerk's desk.

Said bill was then taken up, and the vote by which said bill had been passed was reconsidered.

On motion of Mr. Talbott,

Ordered, That said bill be recommitted to the Committee on Courts of Justice.

On motion of Mr. Haggard,

Ordered, That the Committee on Claims, to whom had been referred the petition of Haly, Mahoney & Co., be directed to make a report thereon on Thursday, the 15th inst.

Mr. Conklin moved to reconsider the vote by which the Senate had, on yesterday, disagreed to the passage of a bill, which originated in the House of Representatives, entitled

An act to amend section 4, article 1, chapter 99, of the Revised Statutes.

And the question being taken thereon, it was decided in the affirmative.

Ordered, That said bill be recommitted to the Committee on Revised Statutes and Codes of Practice.

Mr. Talbott, from the Committee on Railroads, to whom had been referred a bill, which originated in the House of Representatives, entitled

An act to incorporate the Danville and Nashville Railroad Company,

Reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The following bills were reported from the several committees directed to prepare and bring in the same, viz :

By Mr. Cockrill, from the Committee on Agriculture and Manufactures—

A bill to incorporate at the town of Walton, in the county of Boone, an Agricultural and Mechanical Association.

By Mr. Haggard, from the Committee on Propositions and Grievances—

A bill to amend and reduce into one the several acts in relation to the town of Calhoun.

By Mr. Conklin, from the Committee on Revised Statutes and Codes of Practice—

A bill to amend the 28th section of chapter 103, of the Revised Statutes, title "Turnpike and Plank Roads."

By Mr. McManama, from a select committee—

A bill to amend the charter of the town of Crittenden, in Grant county.

By Mr. Wm. Johnson, from the Committee on the Judiciary—

A bill amending an act, entitled "An act to incorporate the Female Literary and Benevolent Institution of Nazareth, near Bardstown."

By Mr. Gilbert, from a select committee—

A bill to amend the charter of the Paducah and Illinois Bridge Company.

By Mr. Whitaker, from the Committee on Courts of Justice—

A bill to authorize the Casey county court to increase the county levy in said county.

By Mr. Chelf, from the Committee on Revised Statutes and Codes of Practice—

A bill to amend section 142 of the Civil Code of Practice.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, the last was ordered to be printed, and placed in the orders of the day, and all the others were ordered to be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. McManama, from a select committee, to whom had been referred a bill, entitled

A bill to prohibit the sale of liquors in Crittenden, &c.,

Reported the same, with an amendment as a substitute therefor.

Which amendment was adopted.

Ordered, That said bill, as amended, be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be amended to read,

An act to prohibit the sale of spirituous, vinous, and malt liquors within the Crittenden magisterial district, in Grant county.

Mr. Casey, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act repealing an act, approved March 7, 1871, entitled "An act authorizing and directing the sale of the interest and stock owned by the State of Kentucky in turnpike roads or turnpike road companies;"

An act to amend an act, entitled "An act to incorporate the Cumberland and Ohio Railroad Company," approved February 24th, 1869;

An act to amend section 112, chapter 1, title 6, of the Criminal Code of Practice;

An act to amend an act, entitled "An act for the benefit of the Eastern and Western Lunatic Asylums," approved February 18th, 1864;

An act to mark and define the boundary line between the counties of Muhlenburg and McLean;

An act to amend the charter of the Shelby Railroad Company;

An act amending article 5, chapter 2, title 9, of the Civil Code of Practice;

And enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of James H. Kirk, late sheriff of Marion county;

An act providing for the assessment of property in McCracken county for railroad purposes;

An act for the benefit of McCracken county;

An act for the benefit of John Ewell, jailer of McCracken county;

An act to authorize the county court of Hancock county to levy taxes to build bridges and work roads in said county;

An act authorizing the sale of the Henry county poor-house farm, and the purchase of a smaller lot of ground, with suitable buildings, for the accommodation of the white paupers of said county;

An act empowering the Bullitt county court to sell the circuit and county court clerks' offices in said county;

An act to change the time of holding the Henry county quarterly court;

An act for the benefit of St. Mary's College;

An act for the benefit of Webster county;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Casey reported that the committee had performed that duty.

Leave was given to bring in the following bills, viz:

On motion of Mr. Gatewood—

1. A bill for the benefit of Warren county.

On motion of Mr. Casey—

2. A bill to amend the charter of the city of Covington.

On motion of Mr. Campbell—

3. A bill, entitled "An act to amend the charter of the Christian County Agricultural and Mechanical Association."

On motion of same—

4. A bill, entitled "An act to incorporate the Hopkinsville Gas and Mining Company."

On motion of Mr. Prichard—

5. A bill to amend chapter 38, article 11, title "Fees," of the Revised Statutes.

On motion of Mr. Dorman—

6. A bill, entitled "An act to amend an act to empower county courts to take stock in turnpike roads in this Commonwealth."

Ordered, That the Committee on the Judiciary prepare and bring in the 1st and 2d; the Committee on Revised Statutes and Codes of Practice the 3d, 4th, and 5th, and the Committee on Courts of Justice the 6th.

And then the Senate adjourned.

MONDAY, FEBRUARY 12, 1872.

A message was received from the House of Representatives, announcing that they had passed bills of the following titles, viz:

1. An act for the benefit of Martin county.

2. An act to allow the citizens of Henry county to vote upon the question of the removal of the county seat from New Castle.

3. An act for the benefit of Barren county.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st and 2d to the Committee on Propositions and Grievances, and the 3d to the Committee on Railroads.

A message was also received from the House of Representatives, announcing that they had adopted a resolution, entitled

Resolution directing the appointment of a committee to visit the Kentucky Agricultural College at Lexington.

Which was taken up, twice read, and concurred in.

A message was also received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills and resolutions, which originated in the House of Representatives, of the following titles, viz:

An act to amend the charter of the Newport and Dayton Turnpike Company.

An act to legalize certain orders of the Mercer county court.

An act to amend an act re-establishing the court of common pleas in Hickman county, in the 1st judicial district.

An act concerning the county levy and taxation in Livingston county.

An act to change the time of holding the county and quarterly courts of Perry county.

An act for the benefit of district No. 3, in McLean county.

An act to amend an act, entitled "An act to authorize the Henderson county court to raise money by an ad valorem tax, and issuing bonds," approved February 27th, 1867.

An act to change the time of holding the county and quarterly courts of Letcher county.

An act to amend the charter of Dry Creek and Covington Turnpike Company.

An act to amend an act, entitled "An act to authorize the Elliott county court to levy an additional tax for county purposes," approved March 8th, 1870.

An act to amend the charter of the Board of Internal Improvement for Anderson county.

An act prohibiting the vending of ardent, malt, or vinous spirits in the second magisterial district in Mercer county.

An act authorizing the indexing of the order-books of the Mercer county court.

An act to amend an act, entitled "An act to incorporate the Salt Lick, Esculapia, and Mount Carmel Turnpike Road Company."

An act to incorporate the trustees of the Presbyterian Church of Augusta.

An act to incorporate the Stoner Run and Kentucky River Turnpike Road Company, in Madison county.

An act to incorporate the Riverton Iron and Mining Company.

An act to incorporate the town of Fulton, in Fulton county.

An act regulating the time of holding the circuit courts in the counties of Perry, Breathitt, and Clay.

An act to prohibit the sale of intoxicating liquors in Benson district, in Franklin county.

An act for the benefit of V. M. Deweese, of Butler county.

An act to amend an act, entitled "An act to incorporate the town of Earlington."

An act to amend an act, entitled "An act to incorporate the Cottage Furnace Iron and Manufacturing Company, in Estill county."

An act for the benefit of James M. Greenwade, late sheriff of Menifee county.

An act to amend the Criminal Code of Practice in relation to the taking of bail.

An act to incorporate the town of Jackson.

An act authorizing the voters of Mackville precinct, in Washington county, to vote on the proposition whether ardent spirits shall be sold by retail in said precinct.

An act to amend section 8, article 25, chapter 28, of the Revised Statutes.

An act to amend the charter of the city of Augusta, in Bracken county.

An act to prohibit the sale of vinous, spirituous, or malt liquors in Nelson county.

An act for the benefit of Greenup county.

An act to repeal the charter of the Methodist Episcopal Church, South, of Louisville.

An act to authorize the county judge of Lincoln county to sell and convey the poor-house property in said county, and reinvest the proceeds.

An act to change the time of holding the McCracken county court of claims.

Resolution providing for an examination of the charitable institutions of the State.

Resolution in regard to the public buildings.

The following petitions were presented, viz:

By Mr. Whitaker—

1. The petition of the directors of the Murphysville Turnpike Road Company, and others, praying the passage of an act authorizing certain parties to work out their taxes on said turnpike road.

By same—

2. The petition of sundry citizens of Mason county, praying the passage of an act to incorporate the Washington Scientific School in said county.

By Mr. Martin—

3. The petition of sundry citizens of Josh Bell and other counties, praying the abolishment of certain toll-gates on the Wilderness Turnpike Road.

By same—

4. The petition of members of the bar of Piketon, praying the creation of a chancery district.

By same—

5. The petition of members of the bar of Paintsville, praying the formation of a chancery district.

Which petitions were received, the reading dispensed with, and referred—the 1st and 3d to the Committee on Internal Improvement; the 2d to the Committee on Education, and the 4th and 5th to the Committee on the Judiciary.

On motion of Mr. Holt,

Ordered, That a message be sent to the House of Representatives, asking leave to withdraw the announcement of their disagreement to the passage of a bill, which originated in the House of Representatives, entitled

An act to establish an additional justices' district in Trigg county.

After a short time, said bill was handed in at the Clerk's desk.

Said bill was then taken up.

Mr. Holt then moved to reconsider the vote by which said bill was disagreed to.

And the question being taken thereon, it was decided in the affirmative.

Ordered, That said bill be recommitted to the Committee on Courts of Justice.

Mr. Gilbert moved to reconsider the vote by which the Senate had, on Saturday, the 10th inst., passed a bill, entitled

An act to amend the charter of the Paducah and Illinois Bridge Company.

And the question being taken thereon, it was decided in the affirmative.

Ordered, That said bill be recommitted to the Committee on Courts of Justice.

The following bills were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Standeford, from the Committee on Internal Improvement—

A bill to amend the charter of the New Castle and Eminence Turnpike Road.

By same—

A bill for the benefit of the Murphysville Turnpike Road Company, in Mason county.

By same—

A bill to release persons heretofore required to work out their road tax on the Murphysville road, in Mason county, therefrom.

By same—

A bill for the benefit of the Tuckyhoe Ridge Turnpike Road Company.

By Mr. Campbell, from the Committee on Revised Statutes and Codes of Practice—

A bill to change the time for the election of president and directors of the Christian County Agricultural Association.

By same—

A bill to incorporate the Hopkinsville Gas and Mining Company.

By same—

A bill providing for the election of judges *pro tempore* of the county and quarterly courts in this Commonwealth.

By Mr. Conklin, from the Committee on Revised Statutes and Codes of Practice—

A bill to legalize the acts of O. G. Moore, sheriff of Edmonson county, and authorize him to give bond.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Talbott, from the Committee on Charitable Institutions, to whom had been referred a bill, entitled

A bill to amend an act, entitled "An act to incorporate the Odd Fellows' Widows' Home and Orphans' University," approved January 11th, 1868,

Reported the same without amendment.

Said bill reads as follows, viz:

Whereas, The "Odd Fellows' Widows' Home and Orphans' University" have, by private subscriptions, raised the sum of two hundred and fifty thousand dollars for the purpose of endowing and carrying on their Institution; and whereas, said Institution is, in all respects, charitable and worthy of aid and encouragement; and whereas, said Institution proposes, as soon as the same shall go into operation, to furnish tuition, free of charge, to one person from each county in the State; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the provisions of an act, entitled "An act to impose an additional tax of fifteen cents for the purpose of increasing the common school fund," approved March 2, 1870, be, and the same (as to Mercer county) is, so amended and modified, that only so much of the tax collected under the said act of March, 1870, as shall be necessary, in addition to the other common school fund, to carry on the common schools in Mercer county, shall be common school fund, and that the remainder of the money collected in Mercer county under said act of March 2, 1870, shall hereafter be paid over annually to the "Odd Fellows' Widows' Home and Orphans' University" by the

officer collecting the same: *Provided, however*, That if at any time hereafter the whole amount of tax collected for common school purposes in Mercer county shall be requisite to carry on the common schools in said county, then this act shall cease and be of no effect.

§ 2. That the county court of each county in this State, a majority of all the justices of the peace being present, shall have the right to select one white person to attend said "Odd Fellows' Widows' Home and Orphans' University." Said person shall be entitled to receive tuition free for four years in all the departments of said University: *Provided*, That said person, before entering said University, shall give a pledge, that, upon leaving said Institution, he or she will report himself or herself to the county court selecting him or her, and by said county court shall be assigned as a teacher (if qualified) in some common school district in the county, and that said person will teach said common school for one year free of charge: *Provided further*, That each county court in this Commonwealth shall have the right to select and keep in attendance (at all times) at said Institution one pupil, free of all charges for tuition as aforesaid; and if at any time, after the commencement of its regular sessions, the president and directors, or the managers in control of said University, shall fail or refuse to receive and teach the pupils or persons required to be received and taught in the manner provided by this section, this act shall cease and be void.

§ 3. This act shall take effect whenever said "Odd Fellows' Widows' Home and Orphans' University" shall have been organized and ready for the reception of pupils, but not sooner.

Mr. Wm. Johnson then proposed to amend said bill as follows, viz:

That only so much of the tax collected in the county of Nelson, under the said act of March 2d, 1870, as shall be necessary, in addition to other common school fund, to carry on the common schools in Nelson county, shall be common school fund, and that the remainder of the money collected in Nelson county under said act of March 2d, 1870, shall hereafter be paid over annually to the trustees of the common school in Bardstown by the officer collecting the same: *Provided, however*, That if at any time hereafter the whole amount of tax collected for common school purposes in Nelson county shall be requisite to carry on the common schools in said county, then this act shall cease and be of no effect.

Mr. Chenoweth then moved to amend the amendment proposed by Mr. Wm. Johnson as follows, viz:

Provided, however, That Nelson county shall first subscribe seventy-five thousand dollars for common school purposes.

Mr. Hawes then moved to lay said bill and proposed amendments on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Haggard and Wm. Johnson, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	J. H. Dorman,	A. L. Martin,
R. A. Burton,	William P. Duvall,	Alfred T. Pope,
James B. Casey,	W. McKee Fox,	K. F. Prichard,
Wm. L. Conklin,	W. W. Frazer,	E. D. Standeford,
G. W. Connor,	Edwin Hawes,	Emery Whitaker—17.
F. W. Darby,	William Johnson,	

Those who voted in the negative, were—

E. P. Campbell,	D. R. Haggard,	A. G. Talbott,
J. Q. Chenoweth,	O. D. McManama,	Ben. J. Webb—7.
James F. Clay,		

So said bill was rejected.

Mr. Gilbert, from the Committee on Courts of Justice, to whom had been referred a bill, entitled

A bill to amend the charter of the Paducah and Illinois Bridge Company,

Reported the same, with an amendment as a substitute therefor.

Which was adopted.

Ordered, That said bill, as amended, be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Standeford, from the Committee on Internal Improvement—

1. An act to amend the charter of the Campbell Turnpike Road Company.

By same—

2. An act to amend the road law of Union county.

By same—

3. An act to incorporate the Cabin Creek Turnpike Road Company.

By same—

4. An act to amend the charter of the Old State Road and Ripple Creek Turnpike Road Company.

By Mr. Wm. Johnson, from the Committee on the Judiciary—

5. An act to authorize McKee Lodge, No. 35, I. O. O. F., at Versailles, to issue bonds.

By Mr. Talbott, from the Committee on Railroads—

6. An act to amend the charter of the Elizabethtown and Paducah Railroad Company.

By Mr. Webb, from the Committee on Agriculture and Manufactures—

7. An act to amend the charter of the Cornwall Candle Factory, of Louisville.

By Mr. Standeford, from the Committee on Internal Improvement—

8. An act to incorporate the Paducah and North Ballard Turnpike Road Company.

By Mr. Talbott, from the Committee on Charitable Institutions—

9. An act for the benefit of the Cleaveland Orphan Asylum.

By same—

10. An act for the benefit of the Cleaveland Orphan Asylum.

With amendments to the 7th and 8th.

Which were adopted.

Ordered, That the 9th and 10th be made the special order of the day for next Friday, the 16th inst., and that the 1st, 2d, 3d, 4th, 5th, 6th, 7th, and 8th, the last two as amended, be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid,

Mr. Darby, from the Committee on Courts of Justice, to whom had been referred a bill, which originated in the House of Representatives, entitled

An act to regulate sales made under decrees of the Metcalfe circuit court,

Reported the same, with the expression of opinion that said bill ought not to pass.

On motion of Mr. Barlow, said bill was recommitted to the Committee on Courts of Justice.

Mr. Casey, from the Committee on Enrollments, reported that the committee had examined an enrolled bill, which originated in the Senate, of the following title, viz:

An act to incorporate the Ludlow and Pleasant Run Turnpike Road Company;

And enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend an act, entitled "An act to incorporate the Red River Iron Manufacturing Company;"

An act to establish the Ohio River and Tygart's Drain district, in Greenup county;

An act to facilitate the collection of taxes in McCracken county;

An act to amend an act incorporating the town of Calvert City, in Marshall county;

An act to amend an act to incorporate the Clark County Agricultural Association;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Casey reported that the committee had performed that duty.

Leave was given to bring in the following bills, viz:

On motion of Mr. Talbott—

1. A bill to incorporate the Central Kentucky Inebriate Asylum.

On motion of same—

2. A bill to incorporate the Central Kentucky Medical Association.

On motion of Mr. Gilbert—

3. A bill to amend article 3 of chapter 32, of the Revised Statutes.

On motion of same—

4. A bill for the benefit of J. H. Little, of McCracken county.

On motion of same—

5. A bill authorizing actions in certain cases to be instituted against the Commonwealth.

On motion of Mr. McAfee—

6. A bill to amend the charter of the city of Lexington.

On motion of Mr. McManama—

7. A bill to change the name of Lincoln county to that of Varnon county.

On motion of Mr. Clay—

8. A bill to amend the charter of the city of Henderson.

On motion of same—

9. A bill to incorporate the Planters' Bank of Uniontown.

On motion of Mr. Whitaker—

10. A bill for the benefit of common school district No. 51, in Mason county.

On motion of same—

11. A bill to regulate the manufacture, storage, and transportation of explosive substances in this Commonwealth.

On motion of Mr. Dorman—

12. A bill for the benefit of school district No. 35, in Owen county.

Ordered, That a select committee, composed of Messrs. Talbott, Burton, and Haydon, be requested to prepare and bring in the 1st; Messrs. Talbott, Barlow, and Prichard the 2d; Messrs. McManama, McAfee, and Fox the 7th; Messrs. Whitaker, Wm. Johnson, Talbott, and Conklin the 11th; the Committee on Revised Statutes and Codes of Practice the 3d; the Committee on the Judiciary the 4th, 5th, 6th, and 8th; the Committee on Banks and Insurance the 9th, and the Committee on Education the 10th and 12th.

And then the Senate adjourned.

TUESDAY, FEBRUARY 13, 1872.

A message was received from the House of Representatives, announcing their disagreement to the amendment proposed by the Senate to a bill, which originated in the House of Representatives, entitled

An act to repeal an act authorizing the Auditor of Public Accounts to pay the Public Binder thirty-three per cent. upon former rates.

That they had concurred in the amendments proposed by the Senate to bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend the charter of the Lexington Library.

An act incorporating the Goshen, Oldhamburg, and Sligo Turnpike Road Company.

An act to incorporate the town of Kingston, in Madison county.

An act to amend section 37, chapter 1, Civil Code of Practice.

An act to amend the charter of the town of Harrodsburg.

An act to regulate the sale of spirituous liquors in Boyd county.

That they had passed bills of the following titles, viz:

1. An act for the appointment of official reporters for the preservation of evidence in certain cases.

2. An act to amend the town charter of New Market, in Marion county.

3. An act for the benefit of Henry county.

4. An act to prohibit the drawing of seines or fish-nets from the mouth of Paint Lick creek to the mouth of Back creek.

5. An act for the benefit of George W. Brown, of Letcher county.

6. An act to authorize Lorenzo Dow Clark, sr., to erect a mill-dam across Big Mud creek, in Floyd county.

7. An act for the benefit of the heirs of R. M. Biggs, deceased.

8. An act to prevent the destruction of fish in Cumberland and Tennessee rivers, and their tributaries.

9. An act to authorize the Franklin county court of claims to submit to the voters of said county the question of voting a tax for turnpike purposes in said county.

10. An act for the benefit of Stephen T. Blair and Samuel Blair, of Letcher county.

11. An act to incorporate the town of Montgomery, in Trigg county.

12. An act to amend the first section of an act, entitled "An act to prevent the destruction of fish in Clover creek, in Breckinridge county."

13. An act for the benefit of William Cummins and his sureties.

14. An act for the benefit of Samuel Biggerstaff, of Madison county

15. An act for the benefit of the Henry, Oldham, and Jefferson Turnpike Road Company.

16. An act for the benefit of the Beard's Station, Floydsburg, and Akin Turnpike Road Company.

17. An act for the benefit of W. G. Blount, executor of James G. Edens, deceased, of McCracken county.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st, 2d, and 11th to the Committee on the Judiciary; the 3d to the Committee on Rail-

roads; the 4th, 5th, 6th, 8th, 10th, and 12th to the Committee on Propositions and Grievances; the 7th, 13th, and 14th to the Committee on Finance; the 9th, 15th, and 16th to the Committee on Internal Improvement, and the 17th was ordered to be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A message was also received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the town of Boston Station, Pendleton county.

An act to regulate the civil jurisdiction of the police court in the city of Hickman, Fulton county.

An act to re-run and mark the dividing line between the counties of Hancock and Ohio.

An act in relation to the levy court of Spencer county.

An act to authorize the levy court of Union county to levy an additional tax to pay for work on roads and bridges.

An act in relation to delinquent tax-payers in Union county.

An act to legalize the subscription of stock to the New Castle and Kentucky River Turnpike Road Company by the court of claims of Henry county.

An act for the benefit of the Augusta and Dover Turnpike Road Company, in Bracken county.

An act to amend the act of March 21st, 1871, for the benefit of late clerks and other officers.

An act authorizing the county court of levies and disbursements of Rockcastle county to levy an additional capitation and ad valorem tax for the purpose of building a new court-house, clerks' offices, &c., for said county.

An act for the benefit of the Augusta and Minerva Turnpike Road Company, in Bracken county.

An act for the benefit of McCracken county.

An act for the benefit of common school district No. 12, in Woodford county.

An act for the benefit of St. Mary's College.

An act providing for the assessment of property in McCracken county for railroad purposes.

An act to authorize the county court of Hancock county to levy taxes to build bridges and work roads in said county.

An act for the benefit of James H. Kirk, late sheriff of Marion county.

An act to change the time of holding the Henry county quarterly court.

An act for the benefit of Webster county.

An act empowering the Bullitt county court to sell the circuit and county court clerks' offices in said county.

An act for the benefit of John Ewell, jailer of McCracken county.

An act authorizing the sale of the Henry county poor-house farm, and the purchase of a smaller lot of ground, with suitable buildings, for the accommodation of the white paupers of said county.

An act to incorporate the Henderson Bridge Company.

Resolution instructing our Senators, and requesting our Representatives in Congress, to secure an appropriation for locking and damming the Ohio river.

Mr. Dorman presented the petition of sundry citizens of Boone county, praying the passage of an act for the benefit of W. A. Roberts, late sheriff of said county.

Which was received, the reading dispensed with, and referred to the Committee on Finance.

A message in writing was received from the Governor by Mr. Botts, Assistant Secretary of State.

Said message was taken up and read as follows, viz:

State of Kentucky, Executive Department,
Frankfort, February 13th, 1872.

Gentlemen of the Senate:

The time for which James A. Grinstead and William Talbott were commissioned Managers of the Eastern Lunatic Asylum being about to expire, it is my pleasure, and I hereby nominate for your advice and consent, the said Grinstead and Talbott, to be commissioned as Managers of said Asylum to fill said vacancy.

Respectfully,

P. H. LESLIE.

Resolved, That the Senate advise and consent to said appointments.

The following bills were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Wm. Johnson, from the Committee on the Judiciary—

A bill authorizing the trustees of the Baptist Church of East Fork, in Henry county, to sell the church property, and reinvest the proceeds.

By Mr. Pope, from the Committee on the Judiciary—

A bill to amend section 82 of the Civil Code of Practice.

By Mr. Clay, from the Committee on the Judiciary—

A bill to amend the charter of the city of Henderson.

By Mr. Chenoweth, from the Committee on Railroads—

A bill, entitled "An act to amend an act to amend an act to incorporate the Cincinnati, Covington, and Cumberland Gap Railroad Company," approved 11th March, 1867.

By Mr. Talbott, from a select committee—

A bill to amend the charter of the Central Kentucky Stock, Agricultural, and Mechanical Association, in Boyle county.

By Mr. Pope, from the Committee on Banks and Insurance—

A bill to amend an act to incorporate the Louisville Insurance and Banking Company, approved January 24th, 1867.

By Mr. Clay, from a select committee—

A bill to repeal the charter of the town of Walton, Boone county.

By Mr. Prichard, from the Committee on the Judiciary—

A bill to regulate the fees of the Register of the Land Office.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, the last was ordered to be printed, and made the special order of the day for Monday, the 19th inst., and the rest were ordered to be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Pope, from the Committee on the Judiciary—

An act to amend the charter of the Macpelah Cemetery Company, in Montgomery county.

By Mr. Clay, from the Committee on the Judiciary—

An act to repeal an act, entitled "An act to amend an act to establish the town of Frederick, in Barren county."

By Mr. Chenoweth, from the Committee on Railroads—

An act to amend an act, entitled "An act to incorporate the Lexington City Passenger and Freight Railroad Company," approved February 24th, 1870.

By Mr. Haggard, from the Committee on Propositions and Grievances—

An act for the benefit of Martin county.

By Mr. Clay, from the Committee on the Judiciary—

An act to authorize receivers to release liens retained by deed or mortgage, in certain cases.

By Mr. Chenoweth, from the Committee on Railroads—

An act for the benefit of Benjamin Goodin, R. P. Gresham, and George W. Roberts, of Rockcastle county.

With amendments to the last two named bills.

Which were adopted.

Ordered, That said bills, the last two as amended, be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills from the House of Representatives, of the following titles, were reported from the Committee on Courts of Justice, to whom they had been referred, viz:

By Mr. Gilbert—

An act to increase the jurisdiction of the police court of Lebanon.

By Mr. Darby—

An act to regulate proceedings in the courts of justices of the peace in Jefferson county and the city of Louisville.

With the expression of opinion that said bills ought not to pass.

And the question being taken separately on ordering each of said bills to be read a third time, the opinion of the committee to the contrary notwithstanding, it was decided in the negative.

So said bills were disagreed to.

Mr. Whitaker, from the Committee on Courts of Justice, to whom had been referred a bill, which originated in the House of Representatives, entitled

An act to amend an act, entitled "An act to fix the fees of county attorneys," approved February 21st, 1868,

Reported the same, with an amendment as a substitute therefor.

And the question being taken on the adoption of said amendment, it was decided in the negative.

The question was then taken on ordering said bill to be read a third time, and it was decided in the negative.

So said bill was disagreed to.

The Senate took up for consideration the disagreement of the House of Representatives to an amendment proposed by the Senate to a bill, which originated in the House of Representatives, entitled

An act to repeal an act authorizing the Auditor of Public Accounts to pay the Public Binder thirty-three per cent. upon former rates.

Mr. Wrightson then moved to postpone the further consideration of said disagreement until Friday next.

And the question being taken thereon, it was decided in the negative.

The question was then taken, "Will the Senate adhere to their amendment to said bill?" and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Hawes and Wrightson, were as follows, viz:

Those who voted in the affirmative, were—

J. Q. Chenoweth,	W. W. Frazer,	Alfred T. Pope,
Harrison Cockrill,	Jesse C. Gilbert,	K. F. Prichard,
G. W. Connor,	D. R. Haggard,	E. D. Standeford,
John E. Cooper,	William Johnson,	W. L. Vories,
J. H. Dorman,	A. L. Martin,	Ben. J. Webb,
William P. Duvall,	O. D. McManama,	Emery Whitaker—19.
W. McKee Fox,		

Those who voted in the negative, were—

John S. Barlow,	F. W. Darby,	G. A. C. Holt,
E. P. Campbell,	Edwin Hawes,	A. G. Talbott,
James F. Clay,	J. B. Haydon,	Thos. Wrightson—10.
Wm. L. Conklin,		

Mr. Wrightson offered the following joint resolutions, viz:

WHEREAS, There has been introduced into the Congress of the United States a bill to extend the jurisdiction of the Light-house Board, which is in language as follows:

"§ 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the jurisdiction of the Light-house Board, created by the act, entitled 'An act making appropriations for light-houses, light-boats, buoys, &c.,' approved August thirty-one, eighteen hundred and fifty-two, is hereby extended so as to include the Mississippi river, from St. Paul to its mouth, the Missouri river, from Sioux City to its mouth, and the Ohio river, from Pittsburg to its mouth; and the said Board is hereby required to arrange these rivers into one or more Light-house Districts, to be

in all respects on the same footing as the existing Light-house Districts; and to take the proper means to supply these rivers with such lights, buoys, channel marks, and other aids to navigation, as may be necessary for the security of commerce.

"§ 2. *And be it further enacted*, That the sum of one hundred thousand dollars is hereby appropriated to carry out the provisions of this act."

Therefore, be it

1. *Resolved by the General Assembly of the Commonwealth of Kentucky*, That, appreciating the enormous value of the commerce of the Ohio and other Western rivers, being in amount at least three times that of our entire foreign trade, we deem it the duty of Congress to afford it all the protection and safeguards within its power. That a thorough system of lights, buoys, and channel marks, as proposed in the above recited bill, could not fail to be of great service, and be the means of saving much property and many valuable lives.

2. *Resolved*, That we request our Senators and Representatives in Congress to aid, by their votes and all honorable means, in the passage of the above bill.

3. *Resolved*, That the Governor be, and he is hereby, requested to transmit a copy of the foregoing to each of our Senators and Representatives in Congress.

Which was ordered to be printed, and made the special order of the day for Friday, the 16th inst.

The Senate took up for consideration a bill, which originated in the House of Representatives, entitled

An act relating to the Lunatic Asylums and other institutions of public charity in the State.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That it shall be the duty of the managers of each and every asylum and public charity of this State to cause the superintendent, treasurer, or secretary of such institution to lay before them, within ten days of the close of each month, a detailed account of all the receipts and expenditures of such institutions during the preceding month, with the vouchers therefor, headed by a recapitulation of the aggregate receipts and expenditures of such month.

§ 2. It shall be the duty of the managers, or such committee as the managers may appoint, or, in the absence of both, it shall be the duty of the superintendent to examine the reports and vouchers on which the same is made, and to certify the correctness of the account; and the president or superintendent shall seal up and transmit said report to the Secretary of State, to be safely kept by him for examination of any person interested.

§ 3. The monthly reports shall show the sources and persons from whom all moneys were received, and the persons to whom payments were made, and what for.

§ 4. It shall be the duty of the superintendent of each of said institutions, at the end of each month, to cause a list to be made out

of all the persons employed under pay at such institution, and the amount agreed to be paid to each, and also a list of all the patients as pupils at each institution, showing the pay patients or pupils, and those provided for out of the Public Treasury, and to transmit the same within ten days after the close of each month to the Secretary of State, to be kept safely by him for the inspection of any person interested in same.

§ 5. It shall be the duty of the appropriate committee of the lower House, immediately after the organization and the appointment of same, to call upon the Secretary of State for said reports, and from them to make out such report to the Legislature as the facts may warrant, showing how such institutions have been managed, and the cost of managing same, and such suggestions as may be deemed of service to the General Assembly, returning said reports to the Secretary.

§ 6. It shall be the duty of the Governor of this Commonwealth, whenever he deems it of importance to do so, when the Legislature is not in session, to appoint two competent persons to examine and report to him upon any matters pertaining to the management and conduct of any of the public institutions of the State; and such commissioners shall have power and authority to examine witnesses, on oath, and to compel their attendance for that purpose by the aid of the sheriff.

§ 7. The expenses of any commission sent by the Governor, together with compensation to the commissioners, not to exceed five dollars per day each, and expenses, shall be paid, on the certificate of the Governor, by the Auditor and Treasurer, out of any money in the Treasury not otherwise appropriated.

§ 8. This act shall take effect from its passage.

Mr. Talbott then moved to amend said bill as follows, viz:

Amend the first section so as to insert "quarterly" in lieu of the words "within ten days of the close of each month."

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Fox and Wm. Johnson, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	W. W. Frazer,	A. G. Talbott,
E. P. Campbell,	D. R. Haggard,	W. L. Vories,
Harrison Cockrill,	Wm. Johnson,	Ben. J. Webb,
G. W. Connor,	Alfred T. Pope,	Emery Whitaker,
F. W. Darby,	E. D. Standeford,	Thos. Wrightson—15.

Those who voted in the negative, were—

James F. Clay,	J. H. Dorman,	Edwin Hawes,
Wm. L. Conklin,	W. McKee Fox,	G. A. C. Holt,
John E. Cooper,	Jesse C. Gilbert,	O. D. McManama—9.

Mr. Talbott then moved further to amend said bill as follows, viz:

Section one, strike out the word "month" wherever it occurs, and insert in lieu thereof the word "quarter."

Which was adopted.

Mr. Talbott moved further to amend said bill as follows, viz:

Section three, strike out the word "monthly" wherever it occurs, and insert the word "quarterly."

Which was adopted.

Mr. Talbott then moved further to amend said bill as follows, viz:

Section four, strike out the word "month" wherever it occurs, and insert the word "quarter."

Which was adopted.

Mr. Wm. Johnson then moved to amend said bill as follows, viz:

Strike out the fifth section of the bill.

Which was adopted.

Mr. Pope moved to amend said bill as follows, viz:

Strike out the first, second, third, and fourth sections of the bill.

Pending the consideration of which amendment, on motion of Mr. Cockrill,

Ordered, That said bill and proposed amendments be recommitted to the Committee on Charitable Institutions.

After a short time, Mr. Talbott, from the Committee on Charitable Institutions, to whom had been referred the above named bill, reported the same without any expression of opinion.

Mr. Pope then withdrew the amendments proposed by himself.

The question was then taken on ordering said bill to be read a third time, and it was decided in the negative.

So said bill was rejected.

The Senate took up for consideration a resolution, which originated in the House of Representatives, entitled

Resolution directing distribution of Owen's Geological Survey.

Said resolution reads as follows, viz:

Whereas, A large number of copies of Owen's Geological Survey of Kentucky is now held by the State, at a considerable expense to the State for storage room; and whereas, said books are valueless to any person in their present location, and subject to damage and loss.

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Secretary of State be, and he is hereby, instructed to deposit in the State Library as many copies of Owen's Geological Survey of Kentucky, now on storage in Frankfort, as the Librarian has room for, and distribute the remainder of said books among the members of the present General Assembly—one half to each branch thereof. The books so distributed shall be disposed of by the mem-

bers as follows: one copy shall be placed in the office of the county court clerk of each county in the State, and the remainder distributed according to the judgment of those to whom the books are intrusted. The books distributed among the members of the General Assembly, as herein provided, shall be duly wrapped and stamped, ready for mailing.

Mr. Webb then moved to amend said resolution as follows, viz:

Strike out the last sentence of the resolution, beginning at the words "books distributed, &c."

Mr. Wrightson moved to amend the amendment proposed by Mr. Webb as follows, viz:

Strike out of the resolution all of the sentence preceding that which was proposed to be stricken out by Mr. Webb, and inclusive thereof, beginning at the words "the books so distributed shall be disposed of, &c."

And the question being taken thereon, it was decided in the affirmative.

The question was then taken on the adoption of the amendment proposed by Mr. Webb, as amended, and it was decided in the affirmative.

Mr. Hawes moved to amend said resolution as follows, viz;

That the Secretary of State shall distribute the said books with the other public books to be distributed for the year 1872.

Which was rejected.

The question was then taken on the adoption of said resolution, as amended, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Fox and Webb, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	F. W. Darby,	G. A. C. Holt,
J. Q. Chenoweth,	William P. Duvall,	A. L. Martin,
James F. Clay,	W. W. Frazer,	E. D. Standeford,
Wm. L. Conklin,	Jesse C. Gilbert,	Ben. J. Webb,
John E. Cooper,	Edwin Hawes,	Emery Whitaker—15.

Those who voted in the negative, were—

E. P. Campbell,	D. R. Haggard,	Alfred T. Pope,
G. W. Connor,	William Johnson,	A. G. Talbott,
W. McKee Fox,	O. D. McManama,	Thos. Wrightson—9.

Resolved, That the title of said resolution be as aforesaid.

Mr. Cooper, from the Committee on Enrollments, reported that the committee had examined enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz:

An act to repeal in part an act, entitled "An act in relation to official sales in Boyle and Lincoln counties," approved March 7th, 1871;

An act to extend the terms of the Wayne circuit court, and to change the time of holding the Russell and Casey circuit courts, in the 8th judicial district;

An act to amend section 17, chapter 24, Revised Statutes;

An act to amend an act, entitled "An act to amend the road law in Bracken county;"

An act authorizing the clerk of the Harrison circuit court to complete and continue a cross-index to judgments;

An act to amend the charter of the Kentucky River Turnpike Road Company;

An act for the benefit of the Winchester and Red River Iron Works Turnpike Road Company, and the Schullsville branch of same road;

An act requiring the circuit and county clerks of Montgomery to index and cross-index certain records, and prescribing the manner of payment for performing such work;

An act for the benefit of the Mount Sterling and Levee Turnpike Road Company;

An act to empower the circuit judge of the 13th judicial district to fill by appointment the vacancy caused by the death of the late master commissioner in chancery for the Bath circuit court;

Resolution directing the appointment of a committee to visit the Kentucky Agricultural College at Lexington;

And had found the same truly enrolled.

Said bills and resolution having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Cooper reported that the committee had performed that duty.

Leave was given to bring in the following bills, viz:

On motion of Mr. Chenoweth—

1. A bill, entitled "An act to enable the board of trustees of the town of Harrodsburg to pay and discharge the indebtedness of the town."

On motion of Mr. Whitaker—

2. A bill to incorporate the Maysville Building and Savings Association.

On motion of same—

3. A bill requiring county clerks to report annually the indebtedness of their respective counties to the Auditor of State.

On motion of Mr. Webb—

4. A bill to amend the charter of the German Bank and Insurance Company.

On motion of Mr. Wrightson—

5. A bill to amend the criminal laws of this Commonwealth.

On motion of Mr. Frazer—

6. A bill to amend and reduce into one the several acts relating to the Preachers' Aid Society of the Louisville Annual Conference of the Methodist Episcopal Church, South.

On motion of same—

7. A bill to charter the Elkton and Guthrie City Railroad Company.

On motion of Mr. Gilbert—

8. A bill to incorporate Barlow City, in Ballard county.

Ordered, That the Committee on the Judiciary be directed to prepare and bring in the 1st, 2d, and 6th; the Committee on Courts of Justice the 3d; the Committee on Banks and Insurance the 4th; the Committee on Revised Statutes and Codes of Practice the 5th and 8th, and the Committee on Railroads the 7th.

The Speaker, in pursuance of a resolution, which originated in the House of Representatives, entitled "Resolution directing the appointment of a committee to visit the Kentucky Agricultural College at Lexington," and concurred in by the Senate on yesterday, appointed Messrs. Pope and Holt as the committee on the part of the Senate.

And then the Senate adjourned.

WEDNESDAY, FEBRUARY 14, 1872.

A message was received from the House of Representatives, announcing their disagreement to the amendments proposed by the Senate to bills, which originated in the House of Representatives, of the following titles, viz:

An act to prohibit the sale of ardent spirits in Breathitt and Powell counties.

An act to increase the bonded debt of the city of Dayton, in Campbell county.

That they had passed bills, which originated in the Senate, of the following titles, viz:

An act to regulate foreign corporations engaged in operating railroads in the State of Kentucky.

An act to incorporate the Grand Central Industrial Exposition.

That they had passed a bill, entitled

An act to amend an act, entitled "An act for the benefit of common school districts in Clinton county."

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with, it was referred to the Committee on Education.

A message was received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to facilitate the collection of taxes in McCracken county.

An act to amend an act to incorporate the Clark County Agricultural Association.

An act to establish the Ohio River and Tygart's Drain district, in Greenup county.

An act to amend an act incorporating the town of Calvert City, in Marshall county.

An act to authorize the trustees of the Cincinnati Southern Railway to acquire the right of way, and to extend a line of railway through certain counties in this Commonwealth.

A message was received from the House of Representatives, asking leave to withdraw the announcement of their concurrence in an amendment proposed by the Senate to a bill, which originated in the House of Representatives, entitled

An act to amend the charter of the Lexington Library.

Which was granted.

Mr. Whitaker moved to reconsider the vote by which the Senate had, on yesterday, disagreed to the passage of a bill, which originated in the House of Representatives, entitled

An act to amend an act, entitled "An act to fix the fees of county attorneys," approved February 21st, 1868.

And the question being taken thereon, it was decided in the affirmative.

Mr. Whitaker also moved to reconsider the vote by which the Senate had disagreed to the amendment proposed by the committee as a substitute for said bill.

And the question being taken thereon, it was decided in the affirmative.

On motion,

Ordered, That said bill and proposed amendment be recommitted to the Committee on Courts of Justice.

The following bills were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Conklin, from the Committee on Finance—

A bill for the benefit of Samuel Ellis and others.

By same—

A bill for the benefit of William W. Burnes, late sheriff of Robertson county, and his sureties.

By Mr. Standeford, from the Committee on Internal Improvement—

A bill amending the charter of the Louisville and Shepherdsville Turnpike Road Company.

By Mr. Wm. Johnson, from the Committee on the Judiciary—

A bill to amend and reduce into one the several acts relating to the Preachers' Aid Society of the Louisville Annual Conference of the Methodist Episcopal Church, South.

By Mr. Clay, from the Committee on the Judiciary—

A bill to amend section 3 of an act, entitled "An act to amend section 3 of article 3, of chapter 58, of the Revised Statutes."

By Mr. Haggard, from the Committee on Internal Improvement—

A bill to incorporate the Green River Lock and Dam Company.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, the last was ordered to be printed, and made the special order of the day for to-morrow at half-past ten o'clock, A. M., and the others were ordered to be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Wm. Johnson, from the Committee on the Judiciary, to whom was referred a bill, entitled

A bill authorizing the judges of the several courts of this Commonwealth to sign unsigned orders and judgments in said courts,

Reported the same with amendments.

Which were concurred in.

Ordered, That said bill, as amended, be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Burton, from the Committee on Finance—

An act for the benefit of A. Portwood, sheriff of Anderson county.

By Mr. Standeford, from the Committee on Internal Improvement—

An act to authorize the Franklin county court of claims to submit to the voters of said county the question of voting a tax for turnpike purposes in said county.

By same—

An act for the benefit of the Henry, Oldham, and Jefferson Turnpike Road Company.

By same—

An act for the benefit of the Beard's Station, Floydsburg, and Akin Turnpike Road Company.

By Mr. Wm. Johnson, from the Committee on the Judiciary—

An act for the benefit of the creditors of the Winchester and Muddy Creek Turnpike Road Company.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The Senate, according to order, took up for consideration the following bills, viz:

A bill to provide for the erection of a prison-house for females, and a spinning-walk; to extend the walls of the Penitentiary, and repair the walls and Penitentiary buildings.

A bill to amend the charter of the Louisville, Cincinnati, and Lexington Railroad Company.

Ordered, That the first be made the special order of the day for Friday next, and that the second be made the special order of the day for to-morrow.

On motion of Mr. Holt,

Ordered, That a message be sent to the House of Representatives, asking leave to withdraw the announcement of the Senate's passage of a bill, which originated in the House of Representatives, entitled

An act for the benefit of W. G. Blount, executor of James G. Edens, deceased, of McCracken county.

After a short time, said bill was handed in at the Clerk's desk.

Mr. Holt then moved to reconsider the vote by which the Senate had passed said bill.

Which motion was simply entered.

Mr. Chenoweth offered the following resolutions, viz:

WHEREAS, We have heard with great sorrow the announcement of the untimely death of Dr. Hugh Rodman, a distinguished citizen of Frankfort, whose great worth and many virtues have so commended him to the friendship and love of the representatives of a people whose official duties have called them to the Capital of the State; and whereas, it is proper that we should express our appreciation of his worth and our sorrow at his death; therefore, be it

Resolved, That we accept the invitation of the mayor of the city of Frankfort, and will, with the Governor and State officers, unite with the local authorities of the city in paying the last sad tribute of respect to the memory of their distinguished dead.

Resolved, That in execution of this resolution the Senate do now adjourn.

Which was unanimously adopted.

And then the Senate adjourned.

THURSDAY, FEBRUARY 15, 1872.

A message was received from the House of Representatives, announcing that they had disagreed to the amendment proposed by the Senate to a bill, which originated in the House of Representatives, entitled

An act to amend the charter of the Lexington Library.

That they had passed a bill, which originated in the Senate, entitled

An act to legalize the acts of O. G. Moore, sheriff of Edmonson county, and authorize him to give bond.

Mr. Conklin presented the petition of sundry citizens of Grayson county, praying the formation of an additional justices' district in said county.

Which was received, the reading dispensed with, and referred to the Committee on Courts of Justice.

The Senate then took up for consideration the motion heretofore made by Mr. Holt to reconsider the vote by which the Senate had passed a bill, which originated in the House of Representatives, entitled

An act for the benefit of W. G. Blount, executor of James G. Edens, deceased, of McCracken county.

And the question being taken thereon, it was decided in the affirmative.

Ordered, That said bill be recommitted to the Committee on Courts of Justice.

Mr. Barlow, from the Committee on Claims, asked to be discharged from the further consideration of a leave to bring in a bill, entitled

A bill for the benefit of Haly, Mahoney & Co.

Which was granted.

On motion,

Ordered, That said leave be referred to the Committee on the Judiciary.

Mr. Talbott, from the Committee on Railroads, to whom had been referred a bill, which originated in the House of Representatives, entitled

An act to incorporate the Maysville, Flemingsburg, Coal and Iron Region Railway Company,

Reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The following bills were reported from the several committees directed to prepare and bring in the same, viz :

By Mr. Cooper, from the Committee on Propositions and Grievances—

A bill for the benefit of Wolfe county.

By same—

A bill for the benefit of Wm. Day, of Breathitt county.

By Mr. Chenoweth, from the Committee on Railroads—

A bill to amend the charter of the Elizabethtown, Lexington, and Big Sandy Railroad Company.

By Mr. Gilbert, from the Committee on Courts of Justice—

A bill to change and regulate the time of holding the circuit courts in the first judicial district.

By Mr. Holt, from the Committee on Courts of Justice—

A bill to legalize certain proceedings of the Boone county court.

By Mr. Gilbert, from the Committee on Courts of Justice—

A bill regulating the terms of the McCracken circuit court, and a transfer of certain cases therein to the McCracken court of common pleas.

By same—

A bill to regulate the terms and business of the McCracken court of common pleas.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The Senate, according to order, took up for consideration a bill, entitled

A bill to incorporate the Green River Lock and Dam Company.

On motion,

Ordered, That the further consideration of said bill be postponed to, and made the special order of the day for, to-morrow, at half-past ten o'clock, A. M.

The Senate, according to order, took up for consideration a bill, entitled

A bill to amend the charter of the Louisville, Cincinnati, and Lexington Railroad Company.

On motion,

Ordered, That the further consideration of said bill be postponed to, and made the special order of the day for, to-morrow.

The Senate, according to order, also took up for consideration a bill, entitled

A bill to provide for the location and erection of the Third Lunatic Asylum.

On motion,

Ordered, That the further consideration of said bill be postponed to, and made the special order of the day for, to-morrow.

Mr. Martin, from the Committee on Library and Public Buildings and Offices, to whom had been recommitted a bill, which originated in the House of Representatives, entitled

An act to amend an act incorporating the Public Library of Kentucky,

Together with the amendment which had been adopted by the Senate.

The original bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That section nine of an act to incorporate the Public Library of Kentucky, which became a law March 16th, 1871, be, and the same is hereby, repealed.

§ 2. This act shall take effect from its passage.

The amendment which had been adopted reads as follows, viz:

Amend by adding the following as an additional section: That so much of section seven as authorizes said company to give public literary, musical, or dramatic entertainments, at which they may distribute, by lot, to patrons of the entertainments, a portion of the proceeds from the sale of tickets of admission, be, and the same is hereby, repealed,

Reported that the Senate should recede from the amendment, and that the original bill should pass without amendment.

The question was put, "Will the Senate adhere to the amendment?" and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Wm. Johnson and Webb, were as follows, viz:

Those who voted in the affirmative, were—

E. P. Campbell,	Thomas F. Hargis,	W. L. Vories,
James F. Clay,	Edwin Hawes,	Ben. J. Webb,
Wm. L. Conklin,	Wm. Johnson,	Emery Whitaker,
J. H. Dorman,	Alfred T. Pope,	Thos. Wrightson—12.

Those who voted in the negative, were—

John S. Barlow,	John E. Cooper,	D. R. Haggard,
R. A. Burton,	Wm. P. Duvall,	H. S. Hale,
James B. Casey,	W. McKee Fox,	A. L. Martin,
J. Q. Chenoweth,	W. W. Frazer,	A. L. McAfee,
Harrison Cockrill,	John J. Gatewood,	E. D. Standeford,
G. W. Connor,	Jesse C. Gilbert,	A. G. Talbott—18.

On motion of Mr. Chenoweth,

Ordered, That said bill have its third reading on to-morrow at ten minutes past ten o'clock, A. M.

Mr. Cooper, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the town of Kingston, in Madison county;

An act to amend section 37, chapter 1, title 3, of the Civil Code of Practice;

An act to amend the charter of the town of Harrodsburg;

An act to regulate the sale of spirituous liquors in Boyd county;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Cooper reported that the committee had performed that duty.

Leave was given to bring in the following bills, viz:

On motion of Mr. Gilbert—

1. A bill for the benefit of Ann E. Stephens, of McCracken county.

On motion of same—

2. A bill for the benefit of Olive common school district, No. 5, in Marshall county.

On motion of Mr. Hale—

3. A bill to change the terms and regulate the business of the Graves circuit court.

On motion of Mr. Conklin—

4. A bill to amend the charter of the town of Brownsville, in Edmonson county.

On motion of Mr. Whitaker—

5. A bill to amend the third section of an act to establish an Insurance Bureau, approved March 10th, 1870.

On motion of Mr. Hargis—

6. A bill to incorporate the Northeastern Kentucky Seminary, at Grayson.

Ordered, That the Committee on Courts of Justice prepare and bring in the 1st and 3d; the Committee on Education the 2d; the Committee on Revised Statutes and Codes of Practice the 4th; the Committee on Banks and Insurance the 5th, and the Committee on Library and Public Buildings and Offices the 6th.

The Senate took up for consideration the disagreement between the two Houses in relation to the amendments proposed by the Senate to a bill, which originated in the House of Representatives, entitled

An act to prohibit the sale of ardent spirits in Breathitt and Powell counties.

The question was taken on adhering to the first proposed amendment, and it was decided in the negative.

The question was then taken on adhering to the second amendment, and it was decided in the affirmative.

The question was then put, "Will the Senate adhere to the third amendment?"

Pending the consideration of which, the Senate adjourned.

FRIDAY, FEBRUARY 16, 1872.

A message was received from the House of Representatives, announcing that they had passed bills, which originated in the Senate, of the following titles, viz:

An act to amend the charter of the Elizabethtown, Lexington, and Big Sandy Railroad Company.

An act to amend an act, entitled "An act to incorporate the Frankfort, Paris, and Big Sandy Railroad Company."

With an amendment as a substitute for the last named bill.

That they had passed bills of the following titles, viz:

1. An act to prevent the destruction of fish in Little Kentucky river, in Carroll and Trimble counties.

2. An act for the benefit of C. G. Bead, of Clinton county.

3. An act for the benefit of E. G. Davidson.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st to the Committee on Propositions and Grievances, and the 2d and 3d to the Committee on Finance.

A message was also received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of the Winchester and Red River Iron Works Turnpike Road Company, and the Schullsville branch of same road.

An act for the benefit of the Mount Sterling and Levee Turnpike Road Company.

An act to empower the circuit judge of the 13th judicial district to fill by appointment the vacancy caused by the death of the late master commissioner in chancery for the Bath circuit court.

An act requiring the circuit and county clerks of Montgomery to index and cross-index certain records, and prescribing the manner of payment for performing such work.

An act to extend the terms of the Wayne circuit court, and to change the time of holding the Russell and Casey circuit courts, in the 8th judicial district.

An act to amend the charter of the Kentucky River Turnpike Road Company.

An act to repeal in part an act, entitled "An act in relation to official sales in Boyle and Lincoln counties," approved March 7th, 1871.

An act to amend section 17, chapter 24, Revised Statutes.

An act to amend an act, entitled "An act to amend the road law in Bracken county."

An act authorizing the clerk of the Harrison circuit court to complete and continue a cross-index to judgments.

An act to amend an act, entitled "An act to incorporate the Red River Iron Manufacturing Company."

An act to amend an act, entitled "An act to incorporate the Cumberland and Ohio Railroad Company," approved February 24th, 1869.

Resolution directing the appointment of á committee to visit the Kentucky Agricultural College at Lexington.

The Senate, according to order, took up for consideration the resolutions heretofore proposed by Mr. Wrightson, entitled

Resolutions in regard to the navigation of the Ohio and other western rivers.

And the question being taken on the adoption of said resolutions, it was decided in the affirmative.

The Senate, according to order, took up for consideration a bill, entitled

A bill to provide for the erection of a prison-house for females, and a spinning-walk; to extend the walls of the Penitentiary, and repair the walls and Penitentiary buildings.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the sum of forty-five thousand dollars be, and the same is hereby, appropriated, for the purpose of building a prison and spinning-walk in the Penitentiary for female convicts, and to extend the walls of said Penitentiary, and to repair the buildings now used as Penitentiary buildings.

§ 2. That the Governor, the Auditor of Public Accounts, and the Treasurer, be, and they are hereby, appointed a commission to employ an architect to furnish suitable plans and specifications to be adopted by them, and to employ and make a contract with some

suitable builder or builders to erect said buildings and extend said walls; but said commissioners shall in no case exceed the amount appropriated in the first section of this bill: *Provided*, That said commissioners shall be required to advertise, in two newspapers published in Frankfort, and two or more newspapers published in the city of Louisville, in one or more newspapers published in the city of Lexington, and in one or more newspapers published in the city of Covington, and in two or more newspapers published in the city of Cincinnati, Ohio, for thirty days before letting, for proposals for contracts for said work, and shall let the same to the lowest and best bidder or bidders, who shall execute bond to the State, with approved security, for the faithful performance of his or their contract: *And provided further*, That neither of said commissioners shall, directly or indirectly, be interested in the work to be done or materials furnished.

§ 3. The said commissioners are hereby authorized to issue certificates to the Auditor in favor of the contractor or contractors, for such sum as will pay not more than seventy (70) per cent. for work done as it progresses, at such time as they may deem proper; but at no time shall they issue any such certificates for work which has not been done.

§ 4. Upon the receipt of any of the certificates provided for in the third section of this act, it shall be the duty of the Auditor to draw his warrant upon the Treasury for said sum corresponding with such certificate, to be paid out of any money in the Treasury not otherwise appropriated.

§ 5. The commissioners before acting shall take an oath for the faithful performance of their duties under this act.

§ 6. The character of buildings and improvements contemplated under the provisions of this act are—first, the extension of the walls of the Penitentiary, beginning at the northeast corner of the present wall, and extending it a straight line with the old wall to the Owenton pike; thence with or near said pike until it intersects with the prison wall now built. In the construction of said wall the north wall of said inclosure, now standing, is to be torn down, and the materials therein are to be used in constructing the new wall, which wall is to be similar, in all respects, to the old wall, and is to be twenty-two feet in height; second, the erection of a substantial brick house, with the needed iron, stone, &c., for the use of female convicts, to be used as a hospital, cell-house, dining-room, kitchen, halls, and washroom; the building to be at least thirty feet by one hundred and thirty feet in the clear, and two stories high, and constructed in an appropriate and workmanlike manner; third, the erection of a brick building, to be used as a spinning-walk, two stories high. All of which buildings are to be erected upon the additional ground included by the extension of the new wall.

§ 7. The said commissioners shall not expend, in the erection of the improvements hereby contemplated, a greater sum than thirty-five thousand dollars; and the excess of this appropriation remain-

ing unexpended shall be expended by them, or such part as they may deem proper, in making needed repairs to the walls and public buildings now built and owned by the State as a Penitentiary.

§ 8. This act to take effect from its passage.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	J. H. Dorman,	William Johnson,
R. A. Burton,	Wm. P. Duvall,	A. L. Martin,
E. P. Campbell,	W. W. Frazer,	A. L. McAfee,
J. Q. Chenoweth,	John J. Gatewood,	Alfred T. Pope,
James F. Clay,	Jesse C. Gilbert,	E. D. Standeford,
Harrison Cockrill,	D. R. Haggard,	A. G. Talbott,
Wm. L. Conklin,	H. S. Hale,	Ben. J. Webb,
G. W. Connor,	Thomas F. Hargis,	Emery Whitaker,
John E. Cooper,	J. B. Haydon,	Thos. Wrightson—29.
F. W. Darby,	G. A. C. Holt,	

In the negative, Edwin Hawes—1.

Resolved, That the title of said bill be as aforesaid.

The Senate took up for consideration a bill, which originated in the House of Representatives, entitled

An act to amend an act to incorporate the Public Library of Kentucky.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That section nine of an act to incorporate the Public Library of Kentucky, which became a law March 16th, 1871, be, and the same is hereby, repealed.

§ 2. This act shall take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Webb and Standeford, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	William P. Duvall,	G. A. C. Holt,
R. A. Burton,	W. W. Frazer,	William Johnson,
E. P. Campbell,	John J. Gatewood,	A. L. Martin,
J. Q. Chenoweth,	Jesse C. Gilbert,	Alfred T. Pope,

Harrison Cockrill,	D. R. Haggard,	E. D. Standeford,
G. W. Connor,	H. S. Hale,	A. G. Talbott,
John E. Cooper,	Thomas F. Hargis,	Ben. J. Webb,
F. W. Darby,	J. B. Haydon,	Thos. Wrightson—25.
J. H. Dorman,		

Those who voted in the negative, were—

James F. Clay,	Edwin Hawes,	Emery Whitaker—4.
Wm. L. Conklin,		

Resolved, That the title of said bill be as aforesaid.

Mr. Martin then moved to reconsider the vote by which the Senate had passed said bill.

Mr. Hargis moved to lay said motion on the table.

And the question being taken thereon, it was decided in the affirmative.

A message in writing was received from the Governor by Mr. Botts, Assistant Secretary of State.

Said message was taken up and read as follows, viz:

STATE OF KENTUCKY, EXECUTIVE DEPARTMENT,
FRANKFORT, February 13th, 1872.

Gentlemen of the Senate:

I hereby nominate for your advice and consent the following persons as suitable to be commissioned as notaries public, viz:

J. F. Barber, Mason county.
George K. Ratliff, Caldwell county.
J. F. Dempsey, Hopkins county.
Charles G. Wallace, Kenton county.
James Spilman, Kenton county.
Jarrett Bull, Jefferson county.

Respectfully,

P. H. LESLIE.

Resolved, That the Senate advise and consent to said appointments.

The following bills were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Conklin, from the Committee on Revised Statutes and Codes of Practice—

A bill to amend an act, entitled "An act to incorporate the town of Brownsville, in Edmonson county," approved February 15th, 1860.

By Mr. Martin, from the Committee on Education—

A bill to amend an act, entitled "An act to revise the laws relating to the public schools and academy of the city of Newport," approved February 17th, 1860.

By Mr. Martin, from the Committee on Library and Public Buildings and Offices—

A bill to further provide for the completion of the unfinished apartments in the building known as the Fire-proof Offices in the city of Frankfort.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, the last was ordered to be printed, and made the special order of the day for Wednesday, the 21st inst., and the other two were ordered to be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Chenoweth, from a select committee, appointed to investigate the settlement made between the Commissioners of the Sinking Fund and N. Craig, late Keeper of the Kentucky Penitentiary, made the following report, viz:

The committee appointed to investigate the settlement made by the Commissioners appointed to audit and settle certain claims of N. Craig against the Commonwealth, respectfully submit the following report, as taken from Mr. Craig's statements:

On the 3d of February, 1869, the Commissioners of the Sinking Fund, after a laborious investigation of all the accounts, reported a balance due Craig of $23,341 71. Of this amount, the late Commissioners allowed the sum of $21,826 06 Craig has received that amount as a satisfactory substitute for the amount allowed by the Commissioners of the Sinking Fund.

We find that the sum of $34,581 01 is still due from the Penitentiary to Craig, which sum he surrenders as a total loss to him, and for which he does not expect, nor does he ask, any remuneration, knowing that the Penitentiary has nothing to pay it with, resulting from the disastrous fire of the 30th of August, 1844, which kept him and the prison in a crippled condition during his entire connection with it; the exact amount of said loss never can be exactly known.

The contract between him and the State bound the State to furnish her part of the capital necessary to carry on the business operations of the Penitentiary, which was a partnership concern. This the State wholly failed to do. Craig was, therefore, not only compelled to furnish his own part, but also that for the State, which he did, paying from 8 to 10 per cent. for the same, and for which he received a credit of only 6 per cent., thereby losing thousands of dollars.

Owing to the State's failure to comply with her contract, and the ruinous loss by fire on the 30th of August, 1844, the profits of the

first two years were found to be only $8,059 93; the whole of this amount the State took to herself, and not one cent did Craig receive for two years' faithful service, during which time he furnished the whole capital necessary to meet all the wants of the prison—paying house rent, interest on a large amount of money, together with having to buy all the necessaries to feed and clothe himself and family.

The Legislature passed a law, approved March the 10th, 1856, by which it was ordered that Craig be paid the one third of the net profits of the first two years to aid him in paying some of the expenses, as above recited. During those two years the net profits, as before stated, and received by the State, amounted to the sum of $8,059 93, one third of which is $2,686 64. This amount was allowed to Craig by law (see act), as above recited; but, owing to the singular wording of said act, Craig has never received one cent of this allowance. In the settlement with the last Commissioners, this item was thrown out and not taken into the settlement made by them, it having been a stumbling block in the way; and, owing to its singular wording, subjected it to different constructions, none of which he claimed did him justice. So this item stands on the statutes untouched in any settlement.

The Commissioners came to the conclusion that, by throwing out this item (about which there had been so much contention), then the way to a final settlement of all the other claims was easy. And after a thorough investigation, of several months' duration, at intervals, unhesitatingly made their final report.

Any action taken by the Legislature in regard to this allowance of March the 10th, 1856, will be altogether separate and disconnected from all other claims heretofore set up by either party, as all other claims, both ways, have been satisfactorily adjusted and buried forever.

Accompanying this report will be found a *verbatim* copy of the report and settlement made by the late Commissioners appointed by law to make said settlement, and which is made part of this report.

All of which is most respectfully submitted.

And, in addition, it is proper for the committee to state, that the foregoing report is made up from the statements of N. Craig, and the report of the Commissioners, who were authorized to make the settlement. We lay them before the Senate, and ask that the report be printed, without the expression of any opinion on our part.

J. Q. CHENOWETH,
THOS. F. HARGIS,
JNO. J. GATEWOOD,
W. P. DUVALL,
W W. FRAZER.

FRANKFORT, 11th July, 1870.

To HON. D. HOWARD SMITH, *Auditor Public Accounts:*

The undersigned, Commissioners appointed by an act of the Legislature, entitled "An act for the benefit of Newton Craig," approved

February 22, 1870, to ascertain and audit the claim of Newton Craig against the Commonwealth for an alleged balance due him upon an unsettled account, and ascertain if any balance is justly and equitably due him, report, that, after being first duly sworn, they proceeded, in the presence of John Rodman, the Attorney General, to make said investigation, and after a laborious examination of the books and vouchers of the Penitentiary during said Craig's connection with it as Agent and Keeper, as well as all the laws and legislative and other reports and evidence having any connection with said claim, certify the following statement of account as the result of their investigation, to-wit:

Commonwealth of Kentucky,

In account with N. Craig, late Agent and Keeper Kentucky Penitentiary.

For two thirds of the loss sustained by burning, 30th August, 1844, as per report of Charles S. Waller, Clerk of Prison, and Cox and Page, Commissioners		$4,262 81	
Interest on $4,262 81 from 30th August, 1844, to 1st January, 1856		2,899 73	
Making			$7,162 54
From which amount deduct the balance due by Craig, as shown by the statement made by Cox and Page 1st January, 1856		$3,847 83	
Less the amount of the following items, which Craig sets up and admitted to be unpaid, to-wit:			
Balance on hub machine of	$25 00		
Loom	1,200 00		
		1,225 00	
			2,622 83
Leaving			$4,539 71
Interest on $4,539 71 from 1st January, 1856, to 30th June, 1870, 14 years 6 months			3,949 55
Amount due on loss by burning after credit			$8,489 26
For building extension of Prison wall, viz:			
3,321 perch of solid masonry, at $3 per perch		$9,963 00	
150 perch loose stone on top of wall, at $1		150 00	
700 cubic yards of excavation in foundation, at 25 cents per cubic yard		175 00	
		$10,288 00	
Credit by amount paid Craig on wall		4,731 00	
		$5,557 00	
To interest on $5,557 from 1st March, 1847, to 30th June, 1870, 23 years 4 months		7,779 00	
Amount due on wall			13,336 80
Total due			$21,826 06

Which sum of $21,826 06 we certify as due to said Newton Craig, and recommend its payment.

In the settlement of the claim of Craig against the State, we have taken into consideration every claim he has, and certify this as the full amount due him in payment of any claim or claims he may have

growing out of his connection with the Penitentiary as Keeper, Agent, or Partner.

We refuse to allow a credit of $2,686 63 to said Craig, made by an act of the Legislature, approved March 1st, 1856, upon the ground that the Legislature intended that this amount should be in full satisfaction of all claims the said Craig had against the State, and which being offered to him as a compromise, and not being accepted, he has no right to set it up as a claim against the State.

We agree with the Commissioners of the Sinking Fund, in their report to the Legislature, in regard to the justice of the fire and wall claim, and allow interest on these claims from the dates that it is clearly shown the money had been paid out by Craig for the articles consumed, and from the time the wall was completed and in use.

We herewith file the certificate of our qualification as part of this report.

M. B. Chinn, one of the Commissioners, having died previous to the sitting of the Commissioners, did not act with us.

(Signed) GRANT GREEN,
JAMES M. WITHROW,
FAYETTE HEWITT.

I regret that I am unable to concur in the conclusions of the majority of the Commissioners. I make no objection to the basis of the settlement if the accounts are to be restated; but it seems to me that the former investigations by the Legislature, the Commissioners of the Sinking Fund, and finally by the Franklin Circuit Court, in each of which these claims were presented and passed upon, and all of them being much nearer the period of the transaction, and in which the witnesses then living were examined, are conclusive. With no additional proof, I cannot go behind those adjudications. They were made by men of character, acting under oath, and who, I cannot doubt, were in a better position to pass upon the justice and equity of these claims, with the facts all before them, and comparatively fresh, than we can possibly be at this distant period. I am, therefore, constrained by a sense of duty to dissent from the report of the majority of the Commissioners.

(Signed) JAMES A. DAWSON.

James A. Dawson, James M. Withrow, Fayette Hewitt, and Grant Green, state that they will faithfully and honestly discharge the duties required of them in an act of the Legislature of Kentucky, entitled "An act for the benefit of Newton Craig," approved February 22d, 1870.

(Signed) JAMES A. DAWSON,
JAMES M. WITHROW.
FAYETTE HEWITT,
GRANT GREEN.

STATE OF KENTUCKY, FRANKLIN COUNTY.

Sworn to before me by Grant Green, Fayette Hewitt, James M. Withrow, and James A. Dawson, June 9th, 1870.

(Signed) GEO. W. GWIN, *J. P. F. C.*

Which was ordered to be printed.

Mr. Fox, from the Committee on Revised Statutes and Codes of Practice, to whom was referred a bill, which originated in the House of Representatives, entitled

An act to amend section 4, article 1, chapter 99, of the Revised Statutes,

Reported the same without amendment.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That section 4, article 1, chapter 99, of the Revised Statutes, be so amended as to read as follows: That no tavern license shall be granted to any person until he shall take an oath in open court that he, in good faith, intends to keep a tavern for the accommodation of the public, and that he will not violate any of the provisions of the law prohibiting the selling of liquor to minors, idiots, or imbeciles.

§ 2. That all the other provisions of said section 4, article 1, chapter 99, of the Revised Statutes, are hereby repealed.

§ 3. This act to take effect from its passage.

Mr. Wm. Johnson then moved to amend said bill by adding thereto the following, viz:

But no tavern license shall be granted to a person of color, with the privilege to retail ardent spirits.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Haggard and Talbott, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	Thomas F. Hargis,	Alfred T. Pope,
Wm. L. Conklin,	J. B. Haydon,	A. G. Talbott,
G. W. Connor,	Wm. Johnson,	W. L. Vories,
F. W. Darby,	A. L. Martin,	Emery Whitaker—13.
D. R. Haggard,		

Those who voted in the negative, were—

E. P. Campbell,	J. H. Dorman,	Edwin Hawes,
J. Q. Chenoweth,	W. W. Frazer,	Ben. J. Webb,
James F. Clay,	John J. Gatewood,	Thos. Wrightson—9.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was then taken upon the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Hargis and Haggard, were as follows, viz:

Those who voted in the affirmative, were—

E. P. Campbell,	J. H. Dorman,	A. L. Martin,
J. Q. Chenoweth,	W. W. Frazer,	Alfred T. Pope,
James F. Clay,	John J. Gatewood,	A. G. Talbott,
Wm. L. Conklin,	D. R. Haggard,	Ben. J. Webb,
G. W. Connor,	J. B. Haydon,	Emery Whitaker,
F. W. Darby,	William Johnson,	Thos. Wrightson—18.

Those who voted in the negative, were—

John S. Barlow,	Thomas F. Hargis,	W. L. Vories—5.
H. S. Hale,	Edwin Hawes,	

Resolved, That the title of said bill be as aforesaid.

Leave was given to bring in the following bills, viz:

On motion of Mr. Pope—

1. A bill to incorporate the German Insurance Bank.

On motion of Mr. Dorman—

2. A bill for the benefit of Boone county.

On motion of Mr. Darby—

3. A bill to amend an act, entitled "An act to incorporate the Princeton College," approved day of , 1860.

On motion of Mr. McAfee—

4. A bill to incorporate the Lexington High School.

Ordered, That the Committee on Banks and Insurance prepare and bring in the 1st; the Committee on Courts of Justice the 2d, and the Committee on Education the 3d and 4th.

Mr. Casey, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act to regulate foreign corporations engaged in operating railroads in the State of Kentucky;

An act to incorporate the Grand Central Industrial Exposition;

And enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act incorporating the Goshen, Oldhamburg, and Sligo Turnpike Road Company;

An act to amend an act, entitled "An act to incorporate the Lexington City Passenger and Freight Railroad Company," approved February 24th, 1870;

An act to amend the charter of the Campbell Turnpike Road Company;

An act to amend the road law of Union county;

An act to incorporate the Cabin Creek Turnpike Road Company;

An act to amend the charter of the Old State Road and Ripple Creek Turnpike Road Company;

An act to amend the charter of the Elizabethtown and Paducah Railroad Company;

An act to repeal an act, entitled "An act to amend an act to establish the town of Frederick, in Barren county;"

An act to amend the charter of the Macpelah Cemetery Company, in Montgomery county;

An act to authorize McKee Lodge, No. 35, I. O. O. F., at Versailles, to issue bonds;

An act for the benefit of Martin county;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Casey reported that the committee had performed that duty.

The Senate, according to order, took up for consideration a bill, entitled

A bill to provide for the location and erection of the Third Lunatic Asylum.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the sum of seventy-five thousand dollars be, and the same is hereby, appropriated, out of any moneys in the Treasury, or which may be in the Treasury, not otherwise appropriated, for the purpose of purchasing a tract of land not exceeding three hundred acres, and erecting thereon a lunatic asylum, to be called and styled the "Third Lunatic Asylum," sufficient for the safe and comfortable keeping and treatment of at least three hundred inmates. And to purchase said land, three commissioners shall be appointed by the Governor, whose duty it shall be to locate said asylum on or before May 1st, 1872, at some convenient and eligible point in county, and to contract for said land, and take a deed with clause of general warranty to the Commonwealth of Kentucky, so as to secure a good and perfect title thereof for the use and benefit of said asylum. But before said commissioners shall proceed to act, they shall take an oath faithfully to discharge their duties, and execute bond with good and sufficient surety, to be approved by the Governor, for

the faithful discharge of all their duties, and the faithful application of all moneys received by them under this act.

§ 2. When said commissioners shall have purchased said land and received a deed therefor, they shall immediately proceed to have erected thereon a lunatic asylum, after the modern and most improved plans for such institutions. They shall superintend the building of the same, and shall have power to make and enforce, in the name of the Commonwealth of Kentucky, all contracts necessary for the construction and furnishing of said asylum.

§ 3. The Auditor of Public Accounts, upon the demand of the commissioners after they shall have executed bond, shall issue his warrant upon the Treasurer for the amount necessary to pay for said land, and for such other sums, in monthly installments, as said commissioners may require in the construction of the asylum, which warrants the Treasurer shall pay.

§ 4. Said commissioners shall make to each succeeding Legislature a true report of all sums of money by them received, and the manner in which the same has been used; and shall, whenever the asylum is ready for the reception of inmates, notify the Governor, who shall issue his proclamation that it is so ready, and appoint a Superintendent thereof until the meeting of the next General Assembly thereafter.

§ 5. If any commissioner fails to act, the Governor shall appoint another in his place; and any vacancy shall be filled by the appointment of the Governor.

§ 6. This act shall take effect from its passage.

Mr. Talbott then moved to amend said bill by substituting in lieu thereof the following, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the sum of dollars be, and the same is hereby, appropriated, out of any moneys in the Treasury not otherwise appropriated, for the purpose of purchasing a tract of land not exceeding three hundred acres, and erecting thereon a lunatic asylum, to be called and styled the "Third Lunatic Asylum," sufficient for the safe and comfortable keeping and treatment of at least three hundred inmates.

§ 2. That the Governor shall appoint three competent discreet persons as commissioners, who, after first being duly sworn to faithfully and impartially discharge their duties, shall locate said asylum on or before May 1st, 1872, at some suitable point in , and contract for the land on which they locate it, and take a deed, with clause of general warranty to the Commonwealth of Kentucky, so as to secure a good and perfect title thereto for the use and benefit of said asylum

§ 3. That when said deed shall have been duly executed by the vendor or vendors, and accepted by the commissioners, they shall issue a certificate to the Auditor in favor of the vendor or vendors for such sum as they shall have contracted to pay for the land; and upon the receipt of such certificate, the Auditor shall draw his war-

rant upon the Treasurer for said sum, to be paid out of any money in the Treasury not otherwise appropriated.

§ 4. When said commissioners shall have purchased the land, and accepted the deed therefor, they shall immediately proceed to have the asylum erected, furnished, and fitted out, according to the most improved modern plans for such institutions; and they are hereby authorized to employ an architect to furnish suitable plans and specifications, to be adopted by them, and to employ and make a contract with some suitable builder or builders to erect, furnish, and complete said asylum; and they shall take covenant in favor of the Commonwealth from such builder or builders, with good and sufficient surety, for a faithful compliance with all the terms and stipulations of the contract; but before letting the contract they shall advertise for at least twenty days in the for proposals for said work, and shall let the contract to the lowest and best bidder or bidders, who shall execute such covenant; but the price shall not exceed the balance of the appropriation remaining after paying for the land.

§ 5. The said commissioners are hereby authorized to issue certificates every month to the Auditor in favor of the building contractor or contractors, for such sum as will pay not exceeding seventy per cent. for work actually done, for which sums the Auditor shall issue his warrant and the Treasurer shall pay the same in the manner required for paying the vendor of the land; but before issuing any certificate to the building contractor or contractors, the commissioners shall, in the presence of the county court judge and clerk, execute covenant, with good and sufficient sureties, to the Commonwealth (to be attested by said judge and clerk, and approved by the Governor, for the faithful discharge of all their duties under this act.

§ 6. Whenever the asylum is completed and ready for the reception of inmates, the commissioners shall notify the Governor, who shall give notice thereof by proclamation, and appoint a superintendent of the asylum to act until the meeting of the next General Assembly thereafter.

§ 7. If any commissioner fails to act, the Governor shall appoint another in his place; and any vacancy shall be filled by the appointment of the Governor.

§ 8. This act shall take effect from its passage.

Mr. Conklin then moved that said bill and proposed amendment be printed, and made the special order of the day for Thursday, the 22d inst.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Chenoweth and Gilbert, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	J. H. Dorman,	Wm. Johnson,
E. P. Campbell,	Wm. P. Duvall,	Alfred T. Pope,

James F. Clay,	D. R. Haggard,	E. D. Standeford,
Wm. L. Conklin,	Edwin Hawes,	Ben. J. Webb,
G. W. Connor,	J. B. Haydon,	Emery Whitaker—15.

Those who voted in the negative, were—

R. A. Burton,	W. W. Frazer,	A. L. Martin,
James B. Casey,	John J. Gatewood,	A. L. McAfee,
J. Q. Chenoweth,	Jesse C. Gilbert,	A. G. Talbott,
Harrison Cockrill,	H. S. Hale,	W. L. Vories,
John E. Cooper,	G. A. C. Holt,	Thos. Wrightson—16.
F. W. Darby,		

Mr. Talbott then moved to fill the first blank by inserting the sum of two hundred and fifty thousand dollars.

Mr. Chenoweth moved to fill the same blank with the sum of one hundred and seventy-five thousand dollars.

Mr. Frazer moved to fill the same blank with the sum of three hundred thousand dollars.

The question was first taken on filling the blank with the sum proposed by Mr. Frazer, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Fox and Martin, were as follows, viz:

Those who voted in the affirmative, were—

James B. Casey,	John J. Gatewood,	Alfred T. Pope,
James F. Clay,	William Johnson,	A. G. Talbott,
W. McKee Fox,	A. L. Martin,	Emery Whitaker—10.
W. W. Frazer,		

Those who voted in the negative, were—

John S. Barlow,	F. W. Darby,	J. B. Haydon,
R. A. Burton,	J. H. Dorman,	G. A. C. Holt,
E. P. Campbell,	William P. Duvall,	A. L. McAfee,
J. Q. Chenoweth,	Jesse C. Gilbert,	E. D. Standeford,
Harrison Cockrill,	D. R. Haggard,	W. L. Vories,
Wm. L. Conklin,	H. S. Hale,	Ben. J. Webb,
G. W. Connor,	Thomas F. Hargis,	Thos. Wrightson—23.
John E. Cooper,	Edwin Hawes,	

The question was then taken on filling the blank with the sum proposed by Mr. Talbott, and it was decided in the affirmative.

Mr. Talbott then moved further to amend the amendment by filling the second blank with the words McCracken county.

Mr. Wm. Johnson then moved to amend the amendment proposed by Mr. Talbott as follows, viz:

Strike out "in," the last word before the blank occurs, and fill the blank with the following words: "to be selected by a majority of said commissioners."

Pending the consideration of which, on motion, the Senate adjourned.

SATURDAY, FEBRUARY 17, 1872.

A message was received from the House of Representatives, announcing that they had passed a bill, which originated in the Senate, entitled

An act to amend the charter of the city of Louisville.

That they had passed bills of the following titles, viz:

1. An act to amend an act, entitled "An act to protect small game in Lewis county, and to amend the amendment thereto."

2. An act to change the county line between the counties of Owsley and Lee.

3. An act creating an additional justices' and constables' district in Johnson county.

4. An act for the benefit of the securities of Robert Hamilton, late sheriff of Perry county.

5. An act to amend an act, entitled "An act for the benefit of the sureties of W. B. Simmons, late sheriff of Meade county."

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st and 2d to the Committee on Propositions and Grievances; the 3d to the Committee on the Judiciary, and the 4th and 5th to the Committee on Finance.

The following petitions were presented, viz:

By Mr. Barlow—

1. The petition of sundry citizens of Metcalfe county, praying that an appropriation be made to Wade Veluzat for taking care of a pauper idiot.

By Mr. Pope—

2. The petition of certain members of the Louisville bar, praying the establishment of an additional court in said city.

By Mr. Hargis—

3. The petition of the justices of the peace of Rowan county, praying the passage of an act authorizing the county court of said county to levy an ad valorem tax to build a new jail.

By Mr. Darby—

4. The petition of sundry citizens of Caldwell county, praying the passage of an act in relation to Princeton College.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on Finance; the 3d to the Committee on the Judiciary; the 4th to the Committee on Education, and the 2d was ordered to be printed, and referred to the Committee on the Judiciary.

A message was received from the House of Representatives, asking leave to withdraw the announcement of their passage of a bill, which originated in the Senate, entitled

An act to amend the charter of the Elizabethtown, Lexington, and Big Sandy Railroad Company.

Which was granted, and the bill delivered to the messenger.

Mr. Wm. Johnson moved to reconsider the vote by which the Senate had, on yesterday, passed a bill, which originated in the House of Representatives, entitled

An act to amend section 4, article 1, chapter 99, of the Revised Statutes.

And the question being taken thereon, it was decided in the affirmative.

The vote by which the third reading of said bill, as also that by which the third reading was ordered, were also reconsidered.

Mr. Wm. Johnson also moved to reconsider the vote by which the amendment was, on yesterday, adopted.

And the question being taken thereon, it was decided in the affirmative.

Mr. Wm. Johnson then moved to amend said bill by substituting in lieu thereof the following, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That so much of section 4, article 1, chapter 99, of the Revised Statutes, title "Taverns, Tippling houses, &c.," as prohibits the granting of tavern license to persons of color, be, and the same is hereby, repealed; but the privilege of retailing spirituous liquors as a tavern-keeper shall not be granted to any person of color.

§ 2. This act shall be in force from its passage.

And the question being taken upon the adoption of said amendment, it was decided in the affirmative.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was then taken upon the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Hargis and Conklin, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	J. H. Dorman,	Wm. Johnson,
Robert Boyd,	William P. Duvall,	A. L. Martin,
R. A. Burton,	W. W. Frazer,	A. L. McAfee,
E. P. Campbell,	John J. Gatewood,	O. D. McManama,
J. Q. Chenoweth,	Jesse C. Gilbert,	Alfred T. Pope,
Wm. L. Conklin,	H. S. Hale,	A. G. Talbott,
G. W. Connor,	J. B. Haydon,	Emery Whitaker,
F. W. Darby,	G. A. C. Holt,	Thos. Wrightson—24.

Those who voted in the negative, were—

John E. Cooper, Thomas F. Hargis, Edwin Hawes—3.

Resolved, That the title of said bill be as aforesaid.

The Senate resumed the consideration of a bill, entitled

A bill to provide for the location and erection of the Third Lunatic Asylum.

Mr. Talbott then withdrew the amendment proposed by himself on yesterday to the substitute.

Mr. Wm. Johnson then renewed the amendment proposed by himself on yesterday.

Mr. Talbott then moved to amend the amendment proposed by Mr. Wm. Johnson as follows, viz:

Fill the blank by inserting "some county west of the Tennessee river."

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Talbott and Holt, were as follows, viz:

Those who voted in the affirmative, were—

E. P. Campbell,	William P. Duvall,	A. L. Martin,
James B. Casey,	John J. Gatewood,	A. L. McAfee,
J. Q. Chenoweth,	Jesse C. Gilbert,	O. D. McManama,
James F. Clay,	H. S. Hale,	A. G. Talbott,
John E. Cooper,	Thomas F. Hargis,	Thos. Wrightson—17.
F. W. Darby,	G. A. C. Holt,	

Those who voted in the negative, were—

John S. Barlow,	J. H. Dorman,	William Johnson,
Robert Boyd,	W. W. Frazer,	Alfred T. Pope,
R. A. Burton,	D. R. Haggard,	W. L. Vories,
Wm L. Conklin,	Edwin Hawes,	Emery Whitaker—14.
G. W. Connor,	J. B. Haydon,	

Mr. Cooper then moved to postpone the further consideration of said substitute until Tuesday next.

And the question being taken thereon, it was decided in the negative.

The question was then taken on the adoption of the amendment proposed by Mr. Wm. Johnson, as amended, and it was decided in the affirmative.

Various propositions were made as to what newspapers the proposals for building, &c., should be advertised in.

Mr. Campbell then moved that the advertisement be made only in the Louisville Courier-Journal, Louisville Ledger and Anzeiger, and the Cincinnati Commercial.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Chenoweth and Holt, were as follows, viz:

Those who voted in the affirmative were—

John S. Barlow,	F. W. Darby,	Wm. Johnson,
Robert Boyd,	J. H. Dorman,	O D.McManama,
R. A. Burton,	W. W. Frazer,	Alfred T. Pope,
E. P. Campbell,	John J. Gatewood,	A. G. Talbott,
Wm. L. Conklin,	H. S. Hale,	Emery Whitaker,
G. W. Connor,	Thomas F. Hargis,	Thos. Wrightson—20.
John E. Cooper,	J. B. Haydon,	

Those who voted in the negative, were—

James B. Casey,	Jesse C. Gilbert,	A. L. Martin,
J. Q. Chenoweth,	Edwin Hawes,	A. L. McAfee,
James F. Clay,	G. A. C. Holt,	W. L. Vories—10.
Wm. P. Duvall,		

Mr. Talbott then moved to amend the substitute, in section five, line three, by filling the blank with the word "three," before the word month, and to change "month" to "months."

Which was adopted.

Mr. Talbott moved further to amend said substitute as follows, viz:

In section four, line nine, after the word "architect," strike out all down to and including the word "them," in the eleventh line, and insert in lieu thereof the following: "whose duty it shall be to furnish plans and specifications for said building, and to superintend the erection of the same, which plans and specifications shall be considered and approved by the said commissioners."

Which was adopted.

Mr. Conklin then moved to amend said substitute by adding thereto the following as an additional section, viz:

That the said commissioners, in determining the location of the proposed asylum, shall take into consideration all the advantages and

conveniences of each county asking for said location, together with the value of county or private subscriptions which may be made by each county for the use and benefit of the asylum.

Which was adopted.

Ordered, That said substitute, as amended, be engrossed and read a third time.

Mr. Haggard then moved that said substitute, as amended, be printed, and made the special order of the day for Tuesday next.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Burton and Haggard, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	G. W. Connor,	H. S. Hale,
Robert Boyd,	John E. Cooper,	Thomas F. Hargis,
R. A. Burton,	J. H. Dorman,	Edwin Hawes,
E P. Campbell,	W. W. Frazer,	Alfred T. Pope,
J. Q Chenoweth,	John J. Gatewood,	A. G. Talbott,
James F. Clay,	Jesse C. Gilbert,	W. L. Vories—20.
Wm. L. Conklin,	D. R. Haggard,	

Those who voted in the negative, were—

James B. Casey,	G. A. C. Holt,	O. D. McManama,
F. W. Darby,	Wm. Johnson,	Emery Whitaker,
William P. Duvall,	A. L. Martin,	Thos. Wrightson—11.
J. B. Haydon,	A. L. McAfee,	

Mr. Haggard then asked permission of the Senate to have printed, with substitute, an amendment which he proposed to offer hereafter.

Which was granted.

Mr. Clay, from the Committee on the Judiciary, reported a bill, entitled

A bill to amend the charter of the city of Lexington.

Mr. Wrightson moved an amendment to said bill.

On motion,

Ordered, That the further consideration of said bill be postponed, and it be printed, and made the special order of the day for Wednesday next.

Mr. Casey, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of A. Portwood, sheriff of Anderson county;

An act for the benefit of the creditors of the Winchester and Muddy Creek Turnpike Road Company;

An act to authorize the Franklin county court of claims to submit to the voters of said county the question of voting a tax for turnpike purposes in said county;

An act for the benefit of the Henry, Oldham, and Jefferson Turnpike Road Company;

An act for the benefit of the Beard's Station, Floydsburg, and Akin Turnpike Road Company;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Casey reported that the committee had performed that duty.

And then the Senate adjourned.

MONDAY, FEBRUARY 19, 1872.

In the absence of the Speaker, Mr. Wm. Johnson was called to the Chair.

A message was received from the House of Representatives, announcing that they had concurred in the amendments proposed by the Senate to bills and a resolution, which originated in the House of Representatives, of the following titles, viz:

An act to amend the charter of the Cornwall Candle Factory, of Louisville.

An act to incorporate the Paducah and North Ballard Turnpike Road Company.

An act for the benefit of Benjamin Goodin, R. P. Gresham, and George W. Roberts, of Rockcastle county.

An act to authorize receivers to release liens retained by deed or mortgage, in certain cases.

Resolution directing distribution of Owen's Geological Survey.

That they had passed bills, which originated in the Senate, of the following titles, viz :

An act for the benefit of L. H. Oakley and W. H. Litton, of Laurel county.

An act for the benefit of B. F. Ryal, jailer of Cumberland county.

An act for the benefit of P. G. Lawson, of Warren county.

An act to repeal the charter of the town of Walton, Boone county.

That they had passed bills and a resolution of the following titles, viz :

1. An act for the benefit of the Farmers' Bank of Kentucky.

2. An act to create magistrates' and constable's district No. 11, in Hardin county.

3. An act for the benefit of Geo. W. McClure, of Rockcastle county.

4. An act to pay Ballard county for keeping pauper lunatics.

5. An act for the benefit of Henry G. Black, of Ballard county.

6. An act for the benefit of Farish Arnett, of Magoffin county.

7. Resolution asking for information in regard to certain insurance companies.

Which bills and resolution were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills and resolution being dispensed with, they were referred—the 1st and 7th to the Committee on Banks and Insurance; the 2d to the Committee on Courts of Justice, and the 3d, 4th, and 5th to the Committee on Finance,

The following bills were reported from the several committees directed to prepare and bring in the same, viz :

By Mr. Whitaker, from the Committee on Banks and Insurance—

1. A bill to amend an act to establish an Insurance Bureau, approved March 10th, 1870.

By Mr. Pope, from the Committee on Banks and Insurance—

2. A bill to incorporate the German Insurance Bank.

By Mr. Barlow, from the Committee on Claims—

3. A bill for the benefit of Rufus D. Smith, of the county of Jessamine.

By Mr. Whitaker, from the Committee on Courts of Justice—

4. A bill to change the terms and regulate the business of the Graves circuit court.

By Mr. Gilbert, from the Committee on Courts of Justice—

5. A bill for the benefit of Ann E. Stephens, of McCracken county.

By Mr. Darby, from the Committee on Courts of Justice—

6. A bill to incorporate Barlow City, in Ballard county.

By Mr. Wm. Johnson, from the Committee on the Judiciary—

7. A bill to enable the board of trustees of the town of Harrodsburg to pay and discharge the indebtedness of the town.

By Mr. Pope, from the Committee on the Judiciary—

8. A bill to provide for the advertisement of certain judicial sales in Jefferson county.

By same—

9. A bill to incorporate the Woodland Market-house Company, of Louisville.

By same—

10. A bill to amend the third section of an act, entitled "An act authorizing the sale of real estate and slaves in which there is a future contingent interest," approved August 23d, 1862.

By Mr. Hargis, from the Committee on the Judiciary—

11. A bill concerning divorces.

By Mr. Clay, from the Committee on the Judiciary—

12. A bill to amend section 2, chapter 63, article 1, of the Revised Statutes, title "Limitation of Actions and Suits."

By Mr. Frazer, from the Committee on Education—

13. A bill for the benefit of Tuddock Kidd and Harvey Hall, of Powell county.

By Mr. Hargis, from the Committee on Education—

14. A bill for the protection of sheep in the counties of Nicholas, Gallatin, and Fleming.

By Mr. Holt, from the Committee on Military Affairs—

15. A bill in relation to the office of Quarter-Master General.

By Mr. Conklin, from the Committee on Revised Statutes and Codes of Practice—

16. A bill authorizing county judges to call special terms of their courts, and legalizing the proceedings of all special or call terms of said courts.

By Mr. Talbott, from a select committee—

17. A bill to incorporate the Central Kentucky Inebriate Asylum.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, the 1st was ordered to be printed, and made the special order of the day for Wednesday next, 21st inst.; the 5th and

13th were referred to the Committee on the Judiciary; the 11th was ordered to be printed, and made the special order of the day for Friday next, the 23d inst.; the 12th was ordered to be printed, and placed in the orders of the day; the 15th was ordered to be printed, and made the special order of the day for Wednesday, 21st inst.; the 17th was ordered to be printed, and made the special order of the day for Tuesday, the 27th inst., and all the others were ordered to be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Barlow, from the Committee on Claims, reported a bill, entitled

A bill for the benefit of A. E. Camp, jailer of Jefferson county.

Which was read the first time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts is hereby directed to draw his warrant on the Treasury for five hundred and ninety-nine dollars and forty-seven cents, to be paid out of any money in the Treasury not otherwise appropriated, in favor of Ambrose E. Camp, jailer of Jefferson county, for the custody and care of sundry lunatics in the jail of Jefferson county.

§ 2. This act to take effect from its passage.

Ordered, That said bill be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	W. W. Frazer,	John W. Johnson,
Robert Boyd,	John J. Gatewood,	William Johnson,
R. A. Burton,	Jesse C. Gilbert,	A. L. Martin,
E. P. Campbell,	D. R. Haggard,	O. D. McManama,
Harrison Cockrill,	H. S. Hale,	Alfred T. Pope,
Wm. L. Conklin,	Thomas F. Hargis,	K. F. Prichard,
G. W. Connor,	Edwin Hawes,	A. G. Talbott,
John E. Cooper,	J. B. Haydon,	Ben. J. Webb,

F. W. Darby, G. A. C. Holt, Emery Whitaker—28.
J. H. Dorman,

In the negative—none.

Resolved, That the title of said bill be as aforesaid.

Mr. Wm. Johnson, from the Committee on the Judiciary, to whom had been referred a bill, entitled

A bill to incorporate the Newport Gas-light and Fuel Company,

Reported the same without amendment.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The Senate took up for consideration a bill, entitled

A bill to regulate the fees of the Register of the Land Office.

Ordered, That the further consideration of said bill be postponed until Wednesday next.

The Senate took up for consideration a bill, entitled

A bill to amend chapter 28, article 4, Revised Statutes, title "Crimes and Punishments."

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That chapter 28, article 4, Revised Statutes, title "Crimes and Punishments," be, and the same is hereby, amended as follows, to-wit: Every person who shall administer to any woman, pregnant *with a quick child*, or prescribe for any such woman, or advise or procure any such woman to take any medicine, drug, or substance whatever, or shall use or employ any instrument or other means, with intent thereby to destroy such child, unless the same shall have been necessary to preserve the life of such mother, shall, in case the death of such child or of such mother be thereby produced, be deemed guilty of a felony, and, upon conviction thereof, shall be punished by confinement in the penitentiary for not less than two nor more than ten years.

§ 2. Every person who shall administer to any pregnant woman, or prescribe for any such woman, or advise or procure any such woman to take any medicine, drug, substance, or thing whatever, or shall use or employ any instrument or other means whatever, with the intent thereby to procure the miscarriage of any such woman, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine of not less than two hundred nor more than one thousand dollars, or by imprisonment in the county jail for not less than three months nor more than one year, or be both fined and imprisoned in the discretion of the jury.

§ 3. Every person who shall knowingly advertise, print, publish, distribute, or circulate, or knowingly cause to be advertised, printed, published, distributed, or circulated in this Commonwealth, any pamphlet, printed paper, book, newspaper, notice, hint, or reference containing words or language giving or conveying any notice, hint, or reference to any person, or the name of any person, real or fictitious, from whom or to any place, house, shop, or office, where any poison, drug, mixture, preparation, medicine, or noxious thing, or any instrument or means whatever, or any advice, directions, information, or knowledge may be obtained for the purpose and with the intent of procuring the miscarriage of any woman pregnant with child, shall be deemed guilty of a misdemeanor, and shall, upon conviction thereof, be punished by a fine of not less than five hundred nor more than five thousand dollars, and also imprisoned in the county jail for not less than six months, nor more than one year, or by both such fine and imprisonment within the discretion of the jury.

§ 4. This act shall be given in charge by the circuit court judges of this Commonwealth to grand juries, and shall take effect and be in force from and after its passage.

Mr. Haggard moved to amend said bill as follows, viz:

In section two, line five, strike out the word "misdemeanor," and insert in lieu thereof the word "felony."

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. McManama and Connor, were as follows, viz:

Those who voted in the affirmative, were—

R. A. Burton,	Edwin Hawes,	O. D. McManama,
James F. Clay,	J. B. Haydon,	Alfred T. Pope,
Harrison Cockrill,	John W. Johnson,	A. G. Talbott,
J. H. Dorman,	A. L. McAfee,	Emery Whitaker—13.
D. R. Haggard,		

Those who voted in the negative, were—

John S. Barlow,	John E. Cooper,	H. S. Hale,
Robert Boyd,	F. W. Darby,	Thomas F. Hargis,
E. P. Campbell,	W. W. Frazer,	Wm. Johnson,
Wm. L. Conklin,	John J. Gatewood,	A. L. Martin,
G. W. Connor,	Jesse C. Gilbert,	Ben. J. Webb—15.

Mr. Darby then moved to amend said bill as follows, viz:

Section one, lines seven and eight, strike out the words "unless the same shall have been necessary to preserve the life of such mother," and insert in lieu thereof the following: "unless with a view of preserving the life of such mother."

And the question being taken thereon, it was decided in the negative.

Mr. Campbell then moved to amend said bill by adding thereto the following additional section, viz:

The offenses named in each section of this act may be charged in one indictment, and shall be deemed degrees of the same offense.

And the question being taken thereon, it was decided in the affirmative.

Ordered, That said bill, as amended, be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The Senate took up for consideration a bill, which originated in the House of Representatives, entitled

An act to incorporate the Lexington Building and Accumulating Fund Association.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Conklin, from the Committee on Propositions and Grievances, to whom had been referred a bill, which originated in the House of Representatives, entitled

An act to amend chapter 105, Revised Statutes (weight of coal),

Reported the same, with an amendment as a substitute therefor.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, The weight of stone-coal in this Commonwealth shall hereafter be eighty pounds to the bushel.

§ 2. Any person engaged in the retailing of coal shall, upon the demand of the purchaser, deliver to him a certified statement of the weight of the coal so delivered, said certified statement to be signed by the party weighing such coal.

§ 3. Any person selling coal at a less weight to the bushel than eighty pounds, or refusing or failing to deliver to the purchaser a certified statement of weights, as required by this act, shall be fined in a sum not less than ten nor more than fifty dollars for each offense, to be recovered by warrant before any justice, police judge, or presiding judge, or by indictment in the circuit court in the name of the Commonwealth, and applied to the benefit of the jury fund.

§ 4. The act adopted March 18, 1870, relating to screened coal, and all other provisions of the statute inconsistent with this act, are hereby repealed.

§ 5. This act to take effect from and after its passage.

The amendment proposed by the committee reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the weight and measure of stone-coal in this State shall hereafter be seventy-six pounds, or twenty-six hundred and eighty-eight cubic inches to the bushel; and any person engaged in the retailing of coal shall, upon the demand of the purchaser, deliver him a certified statement of the weight of the coal, signed by the party weighing it.

§ 2. That any pesson selling coal at a less weight than seventy-six pounds to the bushel, or failing or refusing to deliver to the purchaser the certified statement of weight required by this act, shall be fined in a sum not less than ten nor more than fifty dollars for each failure, to be recovered by warrant before any justice of the peace, police judge, or quarterly court judge, or by indictment in the circuit court in the name of the Commonwealth, the fine to go into the jury fund.

§ 3. That all laws in conflict with this act be, and the same are hereby, repealed.

§ 4. That this act shall take effect and be in force from its passage.

Mr. Talbott then moved to amend said amendment as follows, viz:

Section one, lines three and four, strike out the words "or twenty-six hundred and eighty-eight cubic inches."

And the question being taken thereon, it was decided in the negative.

On motion of Mr. Prichard, said bill was then amended.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The Senate took up for consideration the disagreement between the two Houses in relation to an amendment proposed by the Senate to a bill, which originated in the House of Representatives, entitled

An act to amend the charter of the Lexington Library.

The question was then taken, "Will the Senate adhere to their proposed amendment?" and it was decided in the negative.

The question was then taken on reconsidering the vote by which said bill, as amended, had passed, and it was decided in the affirmative.

Ordered, That said bill be recommitted to the Committee on Library and Public Buildings and Offices.

The following petition and remonstrance were presented, viz:

By Mr. Gatewood—

1. The petition of sundry citizens of Bowling Green, praying the passage of a mechanics' lien law.

By Mr. Darby—

2. The remonstrance of sundry citizens of Caldwell county, against the passage of an act to amend the charter of the Princeton College.

Which were received, the reading dispened with, and referred—the 1st to the Committee on Revised Statutes and Codes of Practice, and the 2d to the Committee on Education.

Mr. Chenoweth offered the following resolution, viz:

WHEREAS, The law regulating the prices paid for public printing will expire on the 25th inst.:

Resolved, That a committee of three members of the Senate be appointed, to act in conjunction with a similar committee of the House of Representatives, to whom has been referred leave to bring in a bill regulating the same.

Which was adopted.

Whereupon the Speaker appointed Messrs. Chenoweth, Webb, and Wrightson said committee.

A message in writing was received from the Governor by Mr Botts, Assistant Secretary of State.

Said message was taken up and read as follows, viz:

STATE OF KENTUCKY, EXECUTIVE DEPARTMENT,
FRANKFORT, February 17th, 1872.

Gentlemen of the Senate:

I hereby nominate for your advice and consent the following persons as suitable to be commissioned as notaries public, viz:

W. O. Harris, Jefferson county.
Byron Bacon, Jefferson county.
Richard S. Ratliffe, McCracken county.
James H. Campbell, Fayette county.
Alexander Sinclair, Christian county.
Reuben T. Thornton, Campbell county.
W. H. Yost, Muhlenburg county.

Respectfully,

P. H. LESL

Resolved, That the Senate advise and consent to said appoin

A message in writing was also received from the Governor

Botts, Assistant Secretary of State.

Said message was taken up and read as follows, viz:

State of Kentucky, Executive Department,
Frankfort, February 19, 1872.

Gentlemen of the Senate:

I nominate for your advice and consent John B. Payne and H. T. Duncan, jr., to be commissioned as two of the board of directors of the Northern Bank of Kentucky.

Respectfully,

P. H. LESLIE.

Resolved, That the Senate advise and consent to said appointments.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Whitaker, from the Committee on Banks and Insurance—

An act to amend an act to incorporate the North Middletown Deposit Bank, approved March 15th, 1869.

By Mr. Whitaker, from the Committee on Courts of Justice—

An act to amend an act further to define the duties of clerks of circuit, chancery, and county courts of this Commonwealth," approved March 25th, 1871.

By Mr. Gatewood, from the Committee on Education—

An act to amend an act, entitled "An act for the benefit of common school districts in Clinton county."

By Mr. Chenoweth, from the Committee on Finance—

An act to continue in force an act, entitled "An act for the benefit of A. W. Nickell, late sheriff of Johnson county, and his sureties," approved February 3d, 1871.

By Mr. Whitaker, from the Committee on Banks and Insurance—

An act to incorporate the Caseyville Deposit Bank, of Union county.

By same—

An act to incorporate the Smith's Grove Deposit Bank.

By Mr. Wm. Johnson, from the Committee on the Judiciary—

An act to incorporate the town of Montgomery, in Trigg county.

By same—

An act to amend the town charter of New Market, in Marion county.

By Mr. Pope, from the Committee on the Judiciary—

An act for the appointment of official reporters, and for the preservation of evidence in certain cases.

With amendments to the last five named bills.

Which were adopted.

Ordered, That said bills, the last five named as amended, be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Gilbert, from the Committee on Courts of Justice, to whom had been recommitted a bill, which originated in the House of Representatives, entitled

An act for the benefit of W. G. Blount, executor of James G. Edens, deceased, of McCracken county,

Reported the same with an amendment.

Which was adopted.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be amended to read,

An act for the benefit of the sureties of J. C. Calhoon, late sheriff of McCracken county.

Mr. Holt, from the Committee on Courts of Justice, to whom had been referred a bill, which originated in the House of Representatives, entitled

An act to change the time of holding the county court in Lincoln county,

Reported the same, with the expression of opinion that said bill ought not to pass.

And the question being taken on ordering said bill to be read a third time, the opinion of the committee to the contrary notwithstanding, it was decided in the negative.

So said bill was disagreed to.

Mr. Haggard, from the Committee on Propositions and Grievances, to whom was referred leaves to bring in bills of the following titles, viz:

A bill in relation to vacant lands in this Commonwealth;

A bill for the benefit of C. L. S. Matthews, of Cumberland county;

Asked to be discharged from the further consideration of said leaves.

Which was granted.

Leave was given to bring in the following bills, viz :

On motion of Mr. Gilbert—

1. A bill authorizing attachments, &c., issued by justices of the peace for rent, to be returned to common pleas courts.

On motion of same—

2. A bill authorizing sales of real property on the first day of common pleas courts.

On motion of same—

3. A bill to amend an act, entitled "An act regulating the sale of partnership property taken in execution for the separate debt of one of the parties," approved February 12, 1858.

On motion of Mr. Frazer—

4. A bill to amend section 18 of the Civil Code of Practice.

On motion of Mr. Cooper—

5. A bill to change the time of holding the county and quarterly courts of Lee county.

On motion of same—

6. A bill for the benefit of Lee county.

On motion of Mr. Whitaker—

7. A bill to amend the charter of the Lewis and Mason Turnpike Road Company.

On motion of Mr. Dorman—

8. A bill to repeal chapter 1157, entitled "An act to amend an act for the protection of sheep in this Commonwealth," approved March 9th, 1868.

On motion of Mr. Conklin—

9. A bill to incorporate the Ohio River Valley Railroad Company.

On motion of Mr. Campbell—

10. A bill to amend an act, entitled "An act to prohibit the carrying of concealed deadly weapons," approved March 22, 1871.

Ordered, That the Committee on Revised Statutes and Codes of Practice prepare and bring in the 1st, 2d, 5th, and 6th; the Committee on the Judiciary the 3d, 4th, 8th, and 10th; the Committee on Internal Improvement the 7th, and the Committee on Railroads the 9th.

And then the Senate adjourned.

TUESDAY, FEBRUARY 20, 1872.

In the absence of the regular Speaker, Mr. Wm. Johnson was elected Speaker *pro tempore*, and took the Chair.

A message was received from the House of Representatives, announcing that they had concurred in the amendment proposed by the Senate to a resolution, which originated in the House of Representatives, entitled.

Resolutions in relation to distilleries and the tax thereon.

That they had disagreed to a bill, which originated in the Senate, entitled

An act to change the time of meeting of the General Assembly.

That they had passed bills, which originated in the Senate, of the following titles, viz:

An act for the benefit of Irvin W. Bowman, late deputy sheriff of Bracken county.

An act authorizing incorporated towns to establish work-houses and station-houses, and authorizing the confinement of persons guilty of violating town ordinances to be confined in the work-house, or put to work on the streets.

An act to amend the charter of the Elizabethtown, Lexington, and Big Sandy Railroad Company.

With an amendment to the last named bill.

That they had passed bills of the following titles, viz:

1. An act for the benefit of James M. Eifort.

2. An act for the benefit of John B. Greenwell, of Owen county.

3. An act for the benefit of W. B. Stivers, school commissioner of Madison county.

4. An act to define the meaning of the word "creditor," as used in the Revised Statutes and Civil Code of Practice, and in the acts amendatory thereof.

5. An act for the benefit of Mary W. Livingston, of Rockcastle county.

6. An act for the benefit of J. B. Ross, former sheriff of Ballard county.

7. An act for the benefit of certain turnpike roads in Bath county.

8. An act to amend the charter of the Alexandria and Flagg Spring Turnpike Road Company.

9. An act to amend section 20 of article 1, of chapter 91, of the Revised Statutes.

10. An act to amend the charter of the town of Franklin.

11. An act to regulate official sales in Woodford county.

12. An act to change the time of holding the court of claims in Graves county.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st and 2d to the Committee on Finance; the 3d to the Committee on Education; the 4th and 9th to the Committee on Revised Statutes and Codes of Practice; the 5th, 10th, and 11th to the Committee on the Judiciary; the 6th and 12th to the Committee on Courts of Justice, and the 7th and 8th to the Committee on Internal Improvement.

A message was received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to repeal an act, entitled "An act to amend an act to establish the town of Frederick, in Barren county."

An act to amend the charter of the Elizabethtown and Paducah Railroad Company.

An act for the benefit of Martin county.

An act to authorize McKee Lodge, No. 35, I. O. O. F., at Versailles, to issue bonds.

An act to amend the charter of the Macpelah Cemetery Company, in Montgomery county.

An act to amend the charter of the Old State Road and Ripple Creek Turnpike Road Company.

An act to amend section 37, chapter 1, title 3, of the Civil Code of Practice.

An act to amend the road law of Union county.

An act to incorporate the Cabin Creek Turnpike Road Company.

An act to amend the charter of the Campbell Turnpike Road Company.

An act to amend an act, entitled "An act to incorporate the Lexington City Passenger and Freight Railroad Company," approved February 24th, 1870.

An act to authorize the Franklin county court of claims to submit to the voters of said county the question of voting a tax for turnpike purposes in said county.

An act for the benefit of the Henry, Oldham, and Jefferson Turnpike Road Company.

An act to amend the charter of the town of Harrodsburg.

An act for the benefit of A. Portwood, sheriff of Anderson county.

An act for the benefit of the creditors of the Winchester and Muddy Creek Turnpike Road Company.

A message was received from the House of Representatives, announcing that they insisted upon their disagreement to an amendment proposed by the Senate to a bill, which originated in the House of Representatives, entitled

An act to repeal an act authorizing the Auditor of Public Accounts to pay the Public Binder thirty-three per cent. upon former rates.

And asking that a committee of conference should be appointed on the part of the Senate, to act in conjunction with a similar committee appointed upon the part of the House of Representatives, to take into consideration the disagreement between the two Houses in relation to said bill.

Whereupon the Speaker appointed on the part of the Senate Messrs. Clay, Haydon, and Conklin.

Leave was given to bring in the following bills, viz:

On motion of Mr. Haydon—

1. A bill to amend an act authorizing the citizens of Meade county to move the county seat of said county.

On motion of Mr. Gilbert—

2. A bill to extend the Mississippi Railroad into and through Kentucky.

On motion of Mr. Prichard—

3. A bill to increase the jurisdiction of the police court of the town of Ashland.

On motion of Mr. Cockrill—

4. A bill for the benefit of Wm. Bellow, jailer of Estill county.

On motion of Mr. Vories—

5. A bill to amend the charter of the Ballardsville and Christiansburg Turnpike Road Company.

On motion of Mr. Standeford—

6. A bill to amend the charter of the Commonwealth Insurance Company, of Kentucky.

On motion of Mr. Frazer—

7. A bill to establish an additional justices' district in Todd county.

Ordered, That the Committee on Propositions and Grievances prepare and bring in the 1st; the Committee on Railroads the 2d; the Committee on the Judiciary the 3d and 7th; the Committee on Claims the 4th; the Committee on Internal Improvement the 5th, and the Committee on Banks and Insurance the 6th.

Mr. Webb read and laid on the table a joint resolution.

The rule of the Senate being dispensed with, said resolution was taken up and read as follows, viz:

Whereas, Information has reached this General Assembly of the death of Daniel Clark, of color, generally known to the habitues of Frankfort, as well as to the thousands who have had occasion to visit the Gubernatorial Mansion during the past quarter of a century, as the "Ancient Governor;" and whereas, it is a well-defined principle of moral ethics, that there is no characteristic of humanity so deserving of both public and private recognition as fidelity to duty, no matter by whom performed; and whereas, the said deceased body-servant of so many, mostly dead and gone, Governors of this Commonwealth, gave in his lifetime a notable example to all men, white and black, of industry, sobriety, courtesy according to his station, and integrity in office; therefore, be it

Resolved by the General Assembly of the Commonwealth of Kentucky, That this General Assembly is duly impressed with the propriety of officially acknowledging its regard for the memory of the deceased "Ancient Governor," and that, in order to carry out this, its sense of what is decorous and right, the Clerks of both Houses of the Legislature are hereby directed to spread upon their respective Journals the above preamble and its accompanying resolution.

The question was then taken on the adoption of said resolution, and it was decided in the affirmative.

The following petitions and remonstrances were presented, viz:

By Mr. John W. Johnson—

1. The remonstrance of sundry citizens of Ohio county, against establishing an additional justices' district and voting precinct in said county.

By Mr. Frazer—

2. The petition of sundry citizens of Todd county, asking the formation of an additional justices' district in said county.

By Mr. Gilbert—

3. The petition of sundry citizens of Marshall county, praying the passage of an act to prevent the sale of spirituous liquors in the town of Benton.

By Mr. Darby—

4. The remonstrance of the stockholders of the Providence Mining, Manufacturing, and Shipping Company, against the repeal of their charter.

By Mr. Boyd—

5. The petition of sundry citizens of Rockcastle, Laurel, Whitley, and Pulaski counties, praying an appropriation for the removal of the obstructions in Rockcastle river, below Sublimity.

By same—

6. The remonstrance of sundry citizens of Harlan county, against the repeal of the prohibition law in said county.

By Mr. McAfee—

7. The petition of sundry citizens of Jessamine county, asking the passage of a turnpike road charter.

By Mr. Campbell—

8. The petition of L. R. Reno, asking an amendment to the charter of the town of Greenville, in Muhlenburg county.

Which were received, the reading dispensed with, and referred—the 1st, 2d, 5th, 6th, and 8th to the Committee on Propositions and Grievances; the 3d to the Committee on Religion and Morals; the 4th to the Committee on Agriculture and Manufactures, and the 7th to the Committee on Internal Improvement.

The Senate, according to order, took up for consideration a bill, entitled

A bill to provide for the location and erection of the Third Lunatic Asylum.

Mr. Duvall moved to reconsider the vote by which the Senate had, on Saturday last, ordered said bill to be read a third time.

And the question being taken thereon, it was decided in the affirmative.

Mr. Haggard then moved an amendment to said bill as a substitute therefor.

Pending the consideration of which, the Senate adjourned.

WEDNESDAY, FEBRUARY 21, 1872.

A message was received from the House of Representatives, announcing that they had concurred in the amendment proposed by the Senate to a bill, which originated in the House of Representatives, entitled

An act for the benefit of W. G. Blount, executor of James G. Edens, deceased, of McCracken county.

That they had passed bills, which originated in the Senate, of the following titles, viz:

An act to amend an act, entitled "An act to establish a criminal court in the 9th judicial district," approved February 5th, 1866, and the several acts amendatory thereof.

An act to amend an act, entitled "An act for the benefit of the estate of Thos. H. Crawford," approved January 13th, 1872.

An act authorizing the judges of the several courts of this Commonwealth to sign unsigned orders and judgments in said courts.

That they had passed bills of the following titles, viz:

1. An act to establish and provide for certain precincts and voting places in the city of Lexington and county of Fayette.

2. An act to supply public books for Kenton and Campbell counties.

3. An act to provide for orders of injunction in certain cases, and the trial thereof.

4. An act for the benefit of J. J. Wood, late sheriff of Clinton county, and his sureties.

5. An act to amend section 39 of the city charter of Owensboro.

6. An act to incorporate the German Baptist Bethesda Society.

7. An act for the benefit of James B. Wiley, of McCracken county.

8. An act for the benefit of John G. Johns, of Floyd county.

9. An act to amend the charter of the town of Midway, in Woodford county.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st, 2d, 3d, and 9th to the Committee on the Judiciary; the 4th, 7th, and 8th to the Commit-

tee on Finance, and the 5th and 6th to the Committee on Courts of Justice.

Mr. Campbell presented the remonstrance of sundry citizens of Lexington, against the passage of an act amending the charter of the city of Lexington.

Which was read and placed in the possession of the Senate.

The Senate took up for consideration a bill, entitled

A bill to incorporate the Green River Lock and Dam Company.

Mr. Hawes moved to amend said bill.

Pending the consideration of which amendment, on motion,

Ordered, That the further consideration of said bill be postponed to, and made the special order of the day for, to-morrow.

Mr. Campbell, from the Committee on Revised Statutes and Codes of Practice, reported a bill, entitled

A bill to change the name of the Hopkinsville Coal, Iron, Mining, and Manufacturing Company.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Leave was given to bring in the following bills, viz :

On motion of Mr. Boyd—

1. A bill for the benefit of Levi Jackson, judge of the Laurel county court.

On motion of Mr. Duvall—

2. A bill to amend the charter of the town of Leesburg, in Harrison county.

On motion of Mr. Darby—

3. A bill to amend the charter of the town of Princeton.

Ordered, That the Committee on Propositions and Grievances prepare and bring in the 1st; the Committee on Internal Improvement the 2d, and the Committee on Courts of Justice the 3d.

Mr. Casey, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act for the benefit of Irvin W. Bowman, late deputy sheriff of Bracken county;

An act for the benefit of L. H. Oakley and W. H. Litton, of Laurel county;

An act for the benefit of B. F. Ryal, jailer of Cumberland county;

An act for the benefit of P. G. Lawson, of Warren county;

An act authorizing incorporated towns to establish work-houses and station-houses, and authorizing the confinement of persons guilty of violating town ordinances to be confined in the work-house, or put to work on the streets;

An act to amend the charter of the city of Louisville;

An act to legalize the acts of O. G. Moore, sheriff of Edmonson county, and authorize him to give bond;

An act to repeal the charter of the town of Walton, Boone county;

And enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz:

An act to amend an act to incorporate the Public Library of Kentucky;

An act to amend the charter of the Cornwall Candle Factory, of Louisville;

An act for the benefit of Benjamin Goodin, R. P. Gresham, and George W. Roberts, of Rockcastle county;

An act to authorize receivers to release liens retained by deed or mortgage in certain cases;

An act for the benefit of the sureties of J. C. Calhoon, late sheriff of McCracken county;

Resolution directing distribution of Owen's Geological Survey;

And had found the same truly enrolled.

Said bills and resolution having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Casey reported that the committee had performed that duty.

The Senate resumed the consideration of the unfinished order of yesterday, being

A bill to provide for the location and erection of the Third Lunatic Asylum,

Together with the amendment proposed by Mr. Haggard.

Said bill, as heretofore amended, reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the sum of two hundred and fifty thousand dollars be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the purpose of purchasing a tract of land not exceeding three hundred acres, and erecting thereon a lunatic asylum, to be called and styled the "Third Lunatic Aylum," sufficient for the safe and comfortable keeping and treatment of at least three hundred inmates.

§ 2. That the Governor shall appoint three competent discreet persons as commissioners, who, after first being duly sworn to faithfully and impartially discharge their duties, shall locate said asylum on or before May 1st, 1872, at some suitable point in one of the counties west of the Tennessee river, and contract for the land on which they locate it, and take a deed, with clause of general warranty to the Commonwealth of Kentucky, so as to secure a good and perfect title thereto for the use and benefit of said asylum.

§ 3. That when said deed shall have been duly executed by the vendor or vendors, and accepted by the commissioners, they shall issue a certificate to the Auditor in favor of the vendor or vendors for such sum as they shall have contracted to pay for the land; and upon the receipt of such certificate, the Auditor shall draw his warrant upon the Treasurer for said sum, to be paid out of any money in the Treasury not otherwise appropriated.

§ 4. When said commissioners shall have purchased the land, and accepted the deed therefor, they shall immediately proceed to have the asylum erected, furnished, and fitted out, according to the most improved plans for such institutions; and they are hereby authorized to employ an architect, whose duty it shall be to furnish plans and specifications for said building, and to superintend the erection of the same, which plans and specifications shall be considered and approved by the said commissioners; and to employ and make a contract with some suitable builder or builders to erect, furnish, and complete said asylum; and they shall take covenant in favor of the Commonwealth from such builder or builders, with good and sufficient surety, for a faithful compliance with all the terms and stipulations of the contract; but before letting the contract they shall advertise for at least twenty days in the Louisville Courier-Journal, the Louisville Ledger, the Anzeiger, and the Cincinnati Commercial, for proposals for said work, and shall let the contract to the lowest and best bidder or bidders, who shall execute such covenant; but the price shall not exceed the balance of the appropriation remaining after paying for the land.

§ 5. The said commissioners are hereby authorized to issue certificates every three months to the Auditor in favor of the building contractor or contractors, for such sum as will pay not exceeding seventy per cent. for work actually done, for which sums the Auditor shall issue his warrant and the Treasurer shall pay the same in the manner required for paying the vendor of the land; but before issuing any certificate to the building contractor or contractors, the commis-

sioners shall, in the presence of the county court judge and clerk, execute covenant, with good and sufficient sureties, to the Commonwealth (to be attested by said judge and clerk, and approved by the Governor, for the faithful discharge of all their duties under this act.

§ 6. Whenever the asylum is completed and ready for the reception of inmates, the commissioners shall notify the Governor, who shall give notice thereof by proclamation, and appoint a superintendent of the asylum to act until the meeting of the next General Assembly thereafter.

§ 7. If any commissioner fails to act, the Governor shall appoint another in his place; and any vacancy shall be filled by the appointment of the Governor.

§ 8. That the said commissioners, in determining the location of the proposed asylum, shall take into consideration all the advantages and conveniences of each county asking for said location, together with the value of county or private subscription which may be made by each county for the use and benefit of the asylum.

§ 9. This act shall take effect from its passage.

The amendment proposed by Mr. Haggard reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the sum of fifty thousand dollars be appropriated to enlarge the Western Lunatic Asylum at Hopkinsville; also, the sum of fifty thousand dollars be appropriated to enlarge the Eastern Lunatic Asylum at Lexington; also, the sum of thirty thousand dollars be appropriated to enlarge the Feeble-minded Institute at Frankfort; and that the Auditor be directed to draw his warrant upon the Treasury for the above sums, for the purposes indicated, to be paid out of any money in the Treasury not otherwise appropriated.

§ 2. That the Governor shall appoint three commissioners, who shall, as directed by him, superintend the enlargement of each of the buildings, and report progress to him every month until the work be finished—the statements from each commissioner to be filed away in the Secretary's office for reference.

§ 3. That the commissioners so appointed shall see that the buildings be erected with as little delay as possible; and that no inferior materials be used in the construction of said buildings; and that each building shall be erected according to the plans and specifications of the architect, which plans and specifications must have been approved by the Governor and the commissioners appointed by him to superintend the carrying out of the same.

§ 4. That the commissioners shall withhold fifteen per cent of the money which may be due the contractors every month, as the work shall progress, unless there should exist a necessity for full payment, in order to procure material indispensable to the completion of stone-work, brick-work, flooring, covering, or heating apparatus for either one or all the buildings; but in either or any event, it shall be left to the discretion of the Governor or commissioner engaged in superintending the work at either institution.

§ 5. That so soon as the extension of the Feeble-minded Institute at Frankfort be completed, so as to afford rooms sufficient for the

accommodation of one hundred inmates, to be comfortably cared for and securely restrained, then the Superintendents of the two asylums viz: at Lexington and at Hopkinsville, shall select from their epileptic and demented patients fifty each, and forward them to the Feeble-minded Institute at Frankfort, to be received by the Superintendent of said Institute and properly cared for.

§ 6. That so soon as the fifty epileptic and demented patients are removed from the two asylums, the Superintendents of each asylum shall notify the Governor of their readiness to receive a like number from their respective districts.

§ 7. That the Governor shall employ an architect, who shall submit plans and specifications for the enlargement of each institution. The draft for each of the two asylums shall be drawn so as to furnish rooms for one hundred and twenty-five lunatics, and the draft for the enlargement of the Feeble-minded Institute shall furnish rooms for one hundred.

§ 8 That, for the care and attention of the additional number of inmates received at each of the aforesaid institutions, there shall be an allowance hereby made for their support at the same rate as now allowed by law; and that the salary of each Superintendent shall be the same in each of the three institutions—at Lexington, Hopkinsville, and Frankfort—after the enlargement of each institution is completed.

§ 9. This act shall take effect from and after its passage.

The question was then taken on the adoption of the amendment proposed by Mr. Haggard as a substitute, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Haggard and Talbott, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	D. R. Haggard,	K. F. Prichard,
Robert Boyd,	Edwin Hawes,	W. L. Vories,
R. A. Burton,	J. B. Haydon,	Ben. J. Webb,
E P. Campbell,	John W. Johnson,	Emery Whitaker—14.
Wm. L. Conklin,	Wm. Johnson,	

Those who voted in the negative, were—

James B. Casey,	William P. Duvall,	G. A. C. Holt,
J. Q. Chenoweth,	W. McKee Fox,	A. L. Martin,
James F. Clay,	W. W. Frazer,	A. L. McAfee,
G. W. Connor,	John J. Gatewood,	O. D. McManama,
John E. Cooper,	Jesse C. Gilbert,	E. D. Standeford,
F. W. Darby,	H. S. Hale,	A. G. Talbott,
J. H. Dorman,	Thomas F. Hargis,	Thos. Wrightson—21.

Mr. Prichard then moved to reconsider the vote by which the Senate had heretofore filled the blank in the first section of the bill with the words "two hundred and fifty thousand."

And the question being taken thereon, it was decided in the affirmative.

The question was then taken, "Shall the words 'two hundred and fifty thousand' stand as part of the bill?" and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Talbott and Frazer, were as follows, viz:

Those who voted in the affirmative, were—

R. A. Burton,	W. W. Frazer,	E. D. Standeford,
James B. Casey,	Edwin Hawes,	A. G. Talbott,
James F. Clay,	Wm. Johnson,	W. L. Vories,
J. H. Dorman,	A. L. McAfee,	Emery Whitaker,
W. McKee Fox,	O. D. McManama,	Thos. Wrightson—15.

Those who voted in the negative, were—

John S. Barlow,	F. W. Darby,	J. B. Haydon,
Robert Boyd,	Wm. P. Duvall,	G. A. C. Holt,
E. P. Campbell,	John J. Gatewood,	John W. Johnson,
J. Q. Chenoweth,	Jesse C. Gilbert,	A. L. Martin,
Harrison Cockrill,	D. R. Haggard,	K. F. Prichard,
Wm. L. Conklin,	H. S. Hale,	Ben. J. Webb—20.
John E. Cooper,	Thomas F. Hargis,	

Mr. Cooper then moved to fill the blank with the sum of $150,000; Mr. Talbott with $200,000; Mr. Whitaker with $300,000, and Mr. Hawes with $249,000.

The question was first taken on filling the blank with the sum proposed by Mr. Whitaker, it being the largest amount.

And the question being taken thereon, it was decided in the negative.

The question was then taken on filling the blank with the sum proposed by Mr. Hawes, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Hawes and Chenoweth, were as follows, viz:

Those who voted in the affirmative, were—

R. A. Burton,	Edwin Hawes,	A. G. Talbott,
J. Q. Chenoweth,	Wm. Johnson,	W. L. Vories,
J. H. Dorman,	O. D. McManama,	Emery Whitaker—11.
W. W. Frazer,	E. D. Standeford,	

Those who voted in the negative, were—

John S. Barlow,	John E. Cooper,	G. A. C. Holt,
Robert Boyd,	William P. Duvall,	John W. Johnson,
E. P. Campbell,	John J. Gatewood,	A. L. Martin,
James B. Casey,	Jesse C. Gilbert,	A. L. McAfee,
James F. Clay,	D. R. Haggard,	K. F. Prichard,

Harrison Cockrill,	H. S. Hale,	Ben. J. Webb,
Wm. L. Conklin,	Thomas F. Hargis,	Thos. Wrightson—23.
G. W. Connor,	J. B. Haydon,	

The question was then taken on filling the blank with the sum proposed by Mr Talbott, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Barlow and Haggard, were as follows, viz:

Those who voted in the affirmative, were—

E. P. Campbell,	W. W. Frazer,	A. L. McAfee,
James B. Casey,	John J. Gatewood,	O. D. McManama,
J. Q. Chenoweth,	Jesse C. Gilbert,	E. D. Standeford,
G. W. Connor,	H. S. Hale,	A. G. Talbott,
J. H. Dorman,	G. A. C. Holt,	Ben. J. Webb,
William P. Duvall,	A. L. Martin,	Thos. Wrightson—19.
W. McKee Fox,		

Those who voted in the negative, were—

John S. Barlow,	John E. Cooper,	John W. Johnson,
Robert Boyd,	D. R. Haggard,	William Johnson,
R. A. Burton,	Thomas F. Hargis,	K. F. Prichard,
James F. Clay,	Edwin Hawes,	W. L. Vories,
Harrison Cockrill,	J. B. Haydon,	Emery Whitaker—16.
Wm L. Conklin,		

Mr. Wm. Johnson then moved to amend said bill as follows, viz:

Section one, line seven, strike out the word "three," and insert the word "four."

And the question being taken thereon, it was decided in the affirmative.

Mr. Duvall then moved to reconsider the vote by which the Senate had heretofore filled the blank "locating" the asylum.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Cockrill and Talbott, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	William P. Duvall,	William Johnson,
Robert Boyd,	W. W. Frazer,	K. F. Prichard,
R. A. Burton,	D. R. Haggard,	W. L. Vories,
Harrison Cockrill,	J. B. Haydon,	Ben. J. Webb,
Wm. L. Conklin,	John W. Johnson,	Emery Whitaker—16.
G. W. Connor,		

Those who voted in the negative, were—

E. P. Campbell,	W. McKee Fox,	A. L. Martin,
James B. Casey,	John J. Gatewood,	A. L. McAfee,
J. Q. Chenoweth,	Jesse C. Gilbert,	O. D. McManama,

James F. Clay,	H. S. Hale,	E. D. Standeford,
John E. Cooper,	Thomas F. Hargis,	A. G. Talbott,
F. W. Darby,	Edwin Hawes,	Thos. Wrightson—20.
J. H. Dorman,	G. A. C. Holt,	

Mr. Conklin then moved to amend said bill as follows, viz:

After the words "Tennessee river" insert the following: "But if said commissioners, upon investigation, believe that the interest of the State, and the welfare and comfort of the inmates, can best be promoted by locating said asylum at some other place, they are directed to do so."

Mr. Talbott then moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the negative.

Mr. Prichard, at ten minutes past one o'clock, P. M., moved an adjournment.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. McManama and Gilbert, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	John J. Gatewood,	John W. Johnson,
Harrison Cockrill,	D. R. Haggard,	William Johnson,
Wm. L. Conklin,	Thomas F. Hargis,	K. F. Prichard,
J. H. Dorman,	Edwin Hawes,	Ben. J. Webb,
W. W. Frazer,	J. B. Haydon,	Emery Whitaker—15.

Those who voted in the negative, were—

Robert Boyd,	John E. Cooper,	A. L. Martin,
R. A. Burton,	F. W. Darby,	A. L. McAfee,
E. P. Campbell,	William P. Duvall,	O. D. McManama,
James B. Casey,	W. McKee Fox,	E. D. Standeford,
J. Q. Chenoweth,	Jesse C. Gilbert,	A. G. Talbott,
James F. Clay,	H. S. Hale,	Thos. Wrightson—20.
G. W. Connor,	G. A. C. Holt,	

The question was then taken on the amendment proposed by Mr. Conklin, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Conklin and Frazer, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	J. H Dorman,	John W. Johnson,
Robert Boyd,	W. W. Frazer,	Wm. Johnson,
R. A. Burton,	John J. Gatewood,	K. F. Prichard,
Harrison Cockrill,	D. R. Haggard,	Ben. J. Webb,
Wm. L. Conklin,	Edwin Hawes,	Emery Whitaker—17.
G. W. Connor,	J. B. Haydon,	

Those who voted in the negative, were—

E. P. Campbell,	William P. Duvall,	A. L. Martin,
James B. Casey,	W. McKee Fox,	A. L. McAfee,
J. Q. Chenoweth,	Jesse C. Gilbert,	O. D. McManama,
James F. Clay,	H. S. Hale,	E. D. Standeford,
John E. Cooper,	Thomas F. Hargis,	A. G. Talbott,
F. W. Darby,	G. A. C. Holt,	Thos. Wrightson—18.

Mr. Haggard then moved to amend the bill by adding thereto the following additional section, making it the ninth, and the ninth the tenth section, viz:

That the sum of fifty thousand dollars be, and is hereby, appropriated, in addition to the sum named in the first section of the bill, for the purpose of providing for the accommodation of seventy-five colored lunatics, in a detached building, but adjacent to the asylum herein authorized to be erected.

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Haggard and Frazer, were as follows, viz:

Those who voted in the affirmative, were—

Robert Boyd,	Wm. P. Duvall,	John W. Johnson,
R. A. Burton,	W. McKee Fox,	William Johnson,
E. P. Campbell,	W. W. Frazer,	A. L. McAfee,
James B. Casey,	John J. Gatewood,	O. D. McManama,
J. Q. Chenoweth,	Jesse C. Gilbert,	K. F. Prichard,
James F. Clay,	D. R. Haggard,	E. D. Standeford,
Wm. L. Conklin,	H. S. Hale,	A. G. Talbott,
G. W. Connor,	Edwin Hawes,	Ben. J. Webb,
John E. Cooper,	J. B. Haydon,	Emery Whitaker,
J. H. Dorman,	G. A. C. Holt,	Thos. Wrightson—30.

Those who voted in the negative, were—

John S. Barlow,	Thomas F. Hargis,	A. L. Martin—3.

Ordered, That said bill, as amended, be read a third time.

The question was then taken on dispensing with the third reading of said bill, and it was decided in the negative, it requiring a vote of four fifths to dispense, that it might be put upon its passage.

The yeas and nays being required thereon by Messrs. Conklin and Frazer, were as follows, viz:

Those who voted in the affirmative, were—

E. P. Campbell,	J. H. Dorman,	G. A. C. Holt,
James B. Casey,	William P. Duvall,	A. L. Martin,
J. Q. Chenoweth,	W. McKee Fox,	A. L. McAfee,
James F. Clay,	John J. Gatewood,	O. D. McManama,
G. W. Connor,	Jesse C. Gilbert,	E. D. Standeford,
John E. Cooper,	D. R. Haggard,	A. G. Talbott,
F. W. Darby,	H. S. Hale,	Thos. Wrightson—21.

Those who voted in the negative, were—

John S. Barlow,	W. W. Frazer,	Wm. Johnson,
Robert Boyd,	Thomas F. Hargis,	K. F. Prichard,
R. A. Burton,	Edwin Hawes,	Ben. J. Webb,
Harrison Cockrill,	J. B. Haydon,	Emery Whitaker—14.
Wm. L. Conklin,	John W. Johnson,	

On motion,

Ordered, That said bill have its third reading on to-morrow at ten minutes past ten o'clock, A. M.

The Senate, according to order, took up for consideration the following bills, viz:

A bill in relation to the office of Quarter-Master General.

A bill to further provide for the completion of the unfinished apartments in the building known as the Fire-proof Offices in the city of Frankfort.

A bill to regulate the fees of the Register of the Land Office.

A bill to amend an act to establish an Insurance Bureau, approved March 10th, 1870.

Ordered, That said bills be made the special order of the day for to-morrow.

The Senate, according to order, took up for consideration a bill, entitled

A bill to amend the charter of the city of Lexington,

Together with the amendment heretofore proposed by Mr. Wrightson.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That an act, entitled "An act to amend the charter of the city of Lexington," approved March 3d, 1870, be so amended that the councilmen elected under the provisions of an act, entitled "An act to amend the charter of the city of Lexington," approved January 24th, 1870, shall remain in office for four years from the first Thursday after the first Saturday in March, 1873, and until their successors are duly elected and qualified: *Provided, however*, That the term of office of one councilman from each ward of the city shall expire on the first Thursday after the first Saturday in March, 1873, and of each succeeding year; and it shall be determined by lot, to be drawn among the councilmen from each respective ward, who shall retire from office as above prescribed: *And provided further*, That the councilman so retiring shall be deemed ineligible to the office of councilman for one year thereafter.

§ 2. That upon the termination of the term of office of four councilmen, as provided for in the first section of this act, the eight remaining councilmen shall, on the first Thursday after the first Saturday in March, 1873, and in each succeeding year, elect, by

ballot, one councilman from each ward in the city to fill the vacancies thus occasioned, and whose term of office shall be three years from said date, and until their successors are duly elected and qualified.

§ 3. That the council shall have power to license and tax all real estate agents in the city of Lexington.

§ 4. That the council shall have power to tax all whisky and other property in store in the city, whether belonging to residents or non-residents thereof, and by ordinance require, under proper penalty, the persons in whose custody such whisky and other property may be to list the same for taxation, and be held liable for the taxes thereon.

§ 5. All acts and parts of acts in conflict with this act are hereby repealed.

§ 6. This act to take effect and be in force from and after its passage.

The following amendment proposed by Mr. Wrightson was withdrawn, viz:

Amend by adding the following: "They shall hold their office in perpetuity."

Mr. Wrightson then moved to amend said bill as follows, viz:

Section one, line five, after the word "shall," strike out the words "remain in," and before the word "office" insert the words "hold their." Strike out after the word "office" the remainder of the first section, and all of sections second, third, and fourth, and insert the words "in perpetuity."

Mr. Campbell moved that the further consideration of said bill and proposed amendment be postponed to, and made the special order of the day for, the 23d inst.

And the question being taken thereon, it was decided in the negative.

At twenty minutes to two o'clock, P. M., Mr. Wrightson moved an adjournment.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Wrightson and Frazer, were as follows, viz:

Those who voted in the affirmative were—

Robert Boyd,	J. H. Dorman,	J. B. Haydon,
E. P. Campbell,	W. W. Frazer,	John W. Johnson,
James B. Casey,	John J. Gatewood,	K. F. Prichard,
G. W. Connor,	H. S. Hale,	Ben. J. Webb,
F. W. Darby,	Edwin Hawes,	Thos. Wrightson—15.

Those who voted in the negative, were—

John S. Barlow,	Wm. P. Duvall,	A. L. Martin,
R. A. Burton,	W. McKee Fox,	A. L. McAfee,
J. Q. Chenoweth,	Jesse C. Gilbert,	O D.McManama,
James F. Clay,	D. R. Haggard,	E. D. Standeford,
Harrison Cockrill,	Thomas F. Hargis,	A. G. Talbott,
Wm. L. Conklin,	Wm. Johnson,	Emery Whitaker—19.
John E. Cooper,		

Mr. Prichard then moved to postpone the further consideration of said bill and proposed amendment until to-morrow at fifteen minutes past eleven o'clock, A. M.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. McManama and Boyd, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	J. H. Dorman,	John W. Johnson,
Robert Boyd,	W. W. Frazer,	Wm. Johnson,
R. A. Burton,	John J. Gatewood,	K. F. Prichard,
E. P. Campbell,	Jesse C. Gilbert,	E. D. Standeford,
Wm. L. Conklin,	H. S. Hale,	Ben. J. Webb,
G. W. Connor,	Edwin Hawes,	Thos. Wrightson—20.
F. W. Darby,	J. B. Haydon,	

Those who voted in the negative, were—

James B. Casey,	Wm. P. Duvall,	A. L. McAfee,
J. Q. Chenoweth,	W. McKee Fox,	O. D. McManama,
James F. Clay,	D. R. Haggard,	A. G. Talbott,
Harrison Cockrill,	Thomas F. Hargis,	Emery Whitaker—14.
John E. Cooper,	A. L. Martin,	

And then the Senate adjourned.

THURSDAY, FEBRUARY 22, 1872.

A message was received from the House of Representatives, announcing that they had passed a bill, entitled

An act to require the clerk of the Louisville chancery court to make a cross-index to suits and cross-suits in said court, and continue the same.

Which was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with, it was referred to the Committee on Courts of Justice.

The Speaker presented the memorial of the American Woman Suffrage Association, which is as follows, viz:

OFFICE OF THE WOMAN'S JOURNAL, No. 3 TREMONT PLACE,
BOSTON, February 14, 1872.

To the President of the Senate of Kentucky:

DEAR SIR: Will you please have the inclosed memorial of the American Woman Suffrage Association presented in the body over whom you preside. If it can be offered by some member who is in favor of woman suffrage, and who will urge its reference to a joint special committee on suffrage, so much the better.

Hoping that Kentucky will treat this great political reform in a spirit of chivalrous courtesy and enlightened liberality, I remain

Yours respectfully,

LUCY STONE,

President American Woman Suffrage Association.

MEMORIAL.

To the Senate and House of Representatives of the State of Kentucky:

The American Woman Suffrage Association respectfully represents:

That whereas, the 1st section of 2d article of the Constitution of the United States expressly provides that "each State shall appoint, in such manner as the Legislature thereof may direct, the electors for President and Vice President;"

And whereas, women are now unjustly excluded from any participation in the election of these highest officers of the nation;

We therefore respectfully pray your honorable bodies that you will exercise the authority thus vested in you by the Federal Constitution, and enact a law conferring suffrage upon women who are citizens of the United States, and of the State of Kentucky, in the approaching Presidential election, upon the same terms and conditions as men.

And we further respectfully represent:

That whereas, the Constitution of the State of Kentucky contains no restriction upon the exercise of suffrage by women in regard to the election of certain State, county, town, and municipal officers; we therefore respectfully pray that you will enact a law abolishing all political distinctions on account of sex, except where the same are expressly contained in the present Constitution of your State.

And we further respectfully represent:

That whereas, the Constitution of the State of Kentucky restricts suffrage for certain officers to men alone, therefore we respectfully pray your honorable bodies to take the necessary steps to amend the State Constitution so as to abolish hereafter all political distinctions on account of sex.

This memorial is presented in accordance with the resolutions adopted at the annual meeting of said American Woman Suffrage Association, held in Philadelphia on the 22d day of November, A. D. 1871, at which were present delegates from auxiliary societies in twenty-two States.

LUCY STONE, *President.*
JULIA WARD HOWE, *Ch'n Ex. Com.*
MARY GREW, *Cor. Sec.*
HENRY B. BLACKWELL, *Rec. Sec.*

The officers of the American Woman Suffrage Association are as follows:

President.
LUCY STONE.
Vice Presidents at Large.

T. W. HIGGINSON, Rhode Island. WM. LLOYD GARRISON, Massachusetts.
MRS. W. T. HAZARD, Missouri. HANNAH M. T. CUTLER, Illinois.
MARY. A. LIVERMORE, Massachusetts. GEO. W. JULIAN, Indiana.
GEORGE WILLIAM CURTIS, New York. MARGARET V. LONGLEY, Ohio.

Chairman Executive Committee.
JULIA WARD HOWE, Massachusetts.

Foreign Corresponding Secretary.

KATE N. DOGGETT, Illinois.

Corresponding Secretary.

MARY GREW, Pennsylvania.

Recording Secretaries.

HENRY B. BLACKWELL, Massachusetts. AMANDA WAY, Indiana.

Treasurer.

JOHN K. WILDMAN, Pennsylvania.

Vice Presidents.

MRS. OLIVER DENNETT, Maine.	ROWLAND CONNOR, Wisconsin.
ARMENIA S. WHITE, New Hampshire.	MOSES COIT TYLER, Michigan.
HON. C. W. WILLARD, Vermont.	MRS. A. KNIGHT, Minnesota.
JAS. FREEMAN CLARKE, Massachusetts.	A. K. P. SAFFORD, Arizona.
ELIZABETH B. CHACE, Rhode Island.	MRS. C. I. H. NICHOLS, Kansas.
CELIA BURLEIGH, Connecticut.	AMELIA BLOOMER, Iowa.
OLIVER JOHNSON, New York.	ISAAC H. STURGEON, Missouri.
JOHN WHITEHEAD, New Jersey.	HON. GUY W. WINES, Tennessee.
HON. R. LEIGHTON, Washington Ter.	SETH ROGERS, Florida.
PASSMORE WILLIAMSON, Pennsylvania.	GEN. RUFUS SAXTON, Oregon.
ELIZABETH SMITH, Delaware.	REV. CHARLES G. AMES, California.
MIRIAM M. COLE, Ohio.	HON. J. C. UNDERWOOD, Virginia.
MARY F. THOMAS, Indiana.	SARAH JANE LIPPINCOTT, D. C.
JANE G. SWISSHELM, Illinois.	

Executive Committee.

MRS. T. B. HUSSY, Maine.	MRS. FRANK LELAND, Wisconsin.
HON. NATHANIEL WHITE, N. H.	J. A. B. STONE, Michigan.
ALBERT CLARKE, Vermont.	ABBY J. SPAULDING, Minnesota.
MARGARET W. CAMPBELL, Mass.	JOHN RITCHIE, Kansas.
MARY F. DOYLE, Rhode Island.	BELLE MANSFIELD, Iowa.
REV. PHEBE HANAFORD, Connecticut.	MRS. BEVERLY ALLEN, Missouri.
ANNA C. FIELD, New York.	REV. CHAS. J. WOODBURY, Tennessee.
REV. OSCAR CLUTE, New Jersey.	MARIANA STANTON, Florida.
MRS. E. E. L. FORBES, Delaware.	MARY E. AMES, California.
REBECCA A. S. JANNEY, Ohio.	HON. A. M. FRETZ, Virginia.
ELLEN FERGUSON, M. D., Indiana.	REV. FREDERICK HINCKLEY, D. C.
MYRA BRADWELL, Illinois.	

Mr. Prichard moved that said memorial be printed, and referred to the Committee on Privileges and Elections.

And the question being taken on said motion, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Prichard and Holt, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	Wm. L. Conklin,	John W. Johnson,
Robert Boyd,	G. W. Connor,	William Johnson,
R. A. Burton,	John E. Cooper,	A. L. Martin,
E. P. Campbell,	F. W. Darby,	Alfred T. Pope,
James B. Casey,	William P. Duvall,	K. F. Prichard,

W. H. Chelf,	W. W. Frazer,	E. D. Standeford,
J. Q. Chenoweth,	D. R. Haggard,	A. G. Talbott,
James F. Clay,	H. S. Hale,	Ben. J. Webb—25.
Harrison Cockrill,		

Those who voted in the negative, were—

J. H. Dorman,	Edwin Hawes,	O. D. McManama,
W. McKee Fox,	J. B. Haydon,	W. L. Vories,
John J. Gatewood,	G. A. C. Holt,	Emery Whitaker,
Jesse C. Gilbert,	A. L. McAfee,	Thos. Wrightson—13.
Thomas F. Hargis,		

Mr. Hargis, from a select committee, to whom had been referred the charges preferred by the Louisville Commercial against a member of the Senate of being interested as a partner with a tobacco weigher in the city of Louisville, made the following report, viz:

The following charge having appeared in the Louisville Commercial of the 31st January, 1872, viz:

"It is openly charged that a member of the Kentucky Senate is enjoying the lion's share of the emoluments of one of the Governor's appointees—a tobacco weigher now on duty in this city.

"The contract is, as it is alleged, that the Senator, in consideration of services rendered in and about the securing the place for the weigher, was to receive a share of the fees; the weigher to retain one thousand dollars, the remainder to be paid over to the Senator. The appointment was secured, and the division is now 'a-going on.'

"The names of gentlemen of the highest respectability, who make the charge, are at the service of any committee of investigation that may be raised by the Senate."

The Senate appointed the undersigned a special committee to investigate said charge, who beg leave to make the following report: Having examined B. M. Harwood, J. W. Roberts, and J. R. Scott, whose names were furnished the committee by the editor of the Commercial as the gentlemen upon whose statements said article was based; and also Walter Lemasteo, W. H. McIlvain, Col. Geo. M. Jessee, and Governor P. H. Leslie, whose depositions are herewith reported, the committee, after a full hearing, are unanimously of the opinion that the charge was totally unsustained against the Hon. W. L. Vories, whose name was furnished us by said editor as the Senator alluded to in said article.

The proof does not show the slightest moral wrong upon the part of Mr. Vories, much less any legal offense.

THOS. F. HARGIS, *Chairman.*
J. H. DORMAN,
ALFRED T. POPE,
E. P. CAMPBELL,
EMERY WHITAKER.

Which was unanimously adopted.

Mr. Pope offered the following resolution, viz:

WHEREAS, Certain insinuations derogatory to the honor of Senator W. L. Vories have recently appeared in one of the newspapers of this Commonwealth, and have been fully and fairly investigated by a committee of this body, composed of members of both the Radical and Democratic parties, and said investigation has resulted in the triumphal acquittal of the said Senator:

Resolved by the Senate of Kentucky, That the people of the State of Kentucky are hereby assured of our entire and unbroken confidence in the personal and political integrity of W. L. Vories, and that it is the sense of this body, with which he has been identified so long and so prominently, that his connection with the matters hereinbefore referred to was characterized not only by a strict observance of honesty and probity, but by a proper adherence to every sentiment of delicacy and propriety.

Which was twice read and unanimously adopted.

Mr. Cooper offered the following resolution, viz:

WHEREAS, The records of the Land Office show that J. H. Cheever, of New York city, has had entered and surveyed more than (200,000) two hundred thousand acres of vacant and unappropriated lands in the county of Clay alone; and that Smith & Baum and Reed, who are also non-residents, have had entered and surveyed ninety-two thousand eight hundred acres of vacant and unappropriated lands in Perry county; and that Corley, Smith & Co. have had entered and surveyed fourteen thousand one hundred acres of vacant and unappropriated lands in Pike county; and that John L. Craig has had entered and surveyed forty thousand acres of vacant and unappropriated lands in the county of Josh Bell, and all of whom are non-residents; and various other persons and companies have made large entries and surveys; and whereas, said persons, who are non-residents of the State of Kentucky, have no interest in her development or material prosperity, are now demanding of the Register of the Land Office patents for said lands, which in all probability a future development of their hidden resources will show rich mines of mineral wealth, which should be zealously preserved to Kentucky, or her citizens and actual settlers; and whereas, said persons and large numbers of others are getting said lands for the mere pittance of two and a half cents per acre, and for speculative purposes; and it is believed that in this way Kentucky will be robbed of her vacant and unappropriated domain, which seems to be the only hope of the landless in the section known as the mountains of Kentucky; and it is apprehensive that the titles of actual settlers on said lands may be invalidated, and the poor and friendless in that region of the State ejected from their homes and estates by those alien speculators; therefore, be it

Resolved, That the Senator from Nelson, the Senator from Nicholas, the Senator from Green, and the Senator from the 36th District, be, and they are hereby, appointed a select committee to investigate the

matters hereinbefore alluded to, and report, by bill or otherwise, at any time, what legislation is necessary in the premises, if any.

Mr. Martin moved to amend the preamble as follows, viz:

Amend the preamble by striking out all that portion of it relating to the counties of Clay, Perry, Pike, and Josh Bell, embraced in the 33d Senatorial District.

Which was ordered to be printed, and referred to the Committee on the Judiciary.

Mr. Prichard moved that a committee be appointed to withdraw from the House of Representatives the announcement of their passage of a bill, which originated in the Senate, entitled

An act to authorize the Elizabethtown, Lexington, and Big Sandy Railway Company, and Chesapeake and Ohio Railway Company, to bridge the Big Sandy river.

Which motion was adopted.

After a short time, said bill was handed in at the Clerk's desk.

Mr. Prichard then moved to reconsider the vote by which the Senate had passed said bill.

And the question being taken thereon, it was decided in the affirmative.

The vote by which the third reading of said bill was dispensed with, and also that ordering it to be read a third time, were also reconsidered.

The Senate, according to order, took up for consideration an engrossed bill, entitled

An act to provide for the location and erection of the Third Lunatic Asylum.

Said bill was read a third time as follows, viz:

[*For bill—see Journal of 21st inst.*]

The question was then taken on the passage of said bill, and it was decided in the negative, a constitutional majority not having voted therefor.

The yeas and nays being required thereon, in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

E. P. Campbell,	W. McKee Fox,	A. L. Martin,
James B. Casey,	John J. Gatewood,	A. L. McAfee,
James F. Clay,	Jesse C. Gilbert,	O. D. McManama,
G. W. Connor,	H. S. Hale,	E. D. Standeford,
John E. Cooper,	Thomas F. Hargis,	A. G. Talbott,
William P. Duvall,	G. A. C. Holt,	Thos. Wrightson—18.

Those who voted in the negative, were—

John S. Barlow,	J. H. Dorman,	Wm. Johnson,
Robert Boyd,	W. W. Frazer,	Alfred T. Pope,
R. A. Burton,	D. R. Haggard,	K. F. Prichard,
W. H. Chelf,	Edwin Hawes,	W. L. Vories,
J. Q. Chenoweth,	J. B. Haydon,	Ben. J. Webb,
Harrison Cockrill,	John W. Johnson,	Emery Whitaker—19.
Wm. L. Conklin,		

Mr. Chenoweth then moved to reconsider the vote by which said bill had been rejected.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Cooper and Chenoweth, were as follows, viz:

Those who voted in the affirmative, were—

E. P. Campbell,	J. H. Dorman,	G. A. C. Holt,
James B. Casey,	William P. Duvall,	A. L. Martin,
J. Q. Chenoweth,	W. McKee Fox,	A. L. McAfee,
James F. Clay,	John J. Gatewood,	O. D. McManama,
G. W. Connor,	Jesse C. Gilbert,	E. D. Standeford,
John E. Cooper,	H. S. Hale,	A. G. Talbott,
F. W. Darby,	Thomas F. Hargis,	Thos. Wrightson—21.

Those who voted in the negative, were—

John S. Barlow,	W. W. Frazer,	Alfred T. Pope,
Robert Boyd,	D. R. Haggard,	K. F. Prichard,
R. A. Burton,	Edwin Hawes,	W. L. Vories,
W. H. Chelf,	J. B. Haydon,	Ben. J. Webb,
Harrison Cockrill,	John W. Johnson,	Emery Whitaker—17.
Wm. L. Conklin,	Wm. Johnson,	

The question was again taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

E. P. Campbell,	Wm. P. Duvall,	A. L. Martin,
James B. Casey,	W. McKee Fox,	A. L. McAfee,
J. Q. Chenoweth,	John J. Gatewood,	O. D. McManama,
James F. Clay,	Jesse C. Gilbert,	E. D. Standeford,
G. W. Connor,	H. S. Hale,	A. G. Talbott,
John E. Cooper,	Thomas F. Hargis,	Thos. Wrightson—20.
F. W. Darby,	G. A. C. Holt,	

Those who voted in the negative, were—

John S. Barlow,	J. H. Dorman,	Wm. Johnson,
Robert Boyd,	W. W. Frazer,	Alfred T. Pope,
R. A. Burton,	D. R. Haggard,	K. F. Prichard

W. H. Chelf,	Edwin Hawes,	W. L. Vories,
Harrison Cockrill,	J. B. Haydon,	Ben. J. Webb,
Wm. L. Conklin,	John W. Johnson,	Emery Whitaker—18.

Resolved, That the title of said bill be as aforesaid.

Mr. Holt then moved to reconsider the vote by which said bill had passed.

Mr. Talbott moved to lay said motion on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Cooper and Frazer, were as follows, viz:

Those who voted in the affirmative, were—

E. P. Campbell,	Wm. P. Duvall,	A. L. Martin,
James B. Casey,	W. McKee Fox,	A. L. McAfee,
J. Q. Chenoweth,	John J. Gatewood,	O. D. McManama,
James F. Clay,	Jesse C. Gilbert,	E. D. Standeford,
G. W. Connor,	H. S. Hale,	A. G. Talbott,
John E. Cooper,	Thomas F. Hargis,	Thos. Wrightson—20.
F. W. Darby,	G. A. C. Holt,	

Those who voted in the negative, were—

John S. Barlow,	J. H. Dorman,	Wm. Johnson,
Robert Boyd,	W. W. Frazer,	Alfred T. Pope,
R. A. Burton,	D. R. Haggard,	K. F. Prichard,
W. H. Chelf,	Edwin Hawes,	W. L. Vories,
Harrison Cockrill,	J. B. Haydon,	Ben. J. Webb,
Wm. L. Conklin,	John W. Johnson,	Emery Whitaker—18.

The Senate, according to order, took up for consideration a bill, entitled

A bill to amend the charter of the city of Lexington,

Together with the amendment heretofore proposed by Mr. Wrightson.

Mr. Wrightson withdrew his proposed amendment.

Mr. Boyd then moved to amend said bill as follows, viz:

Strike out the enacting clause of said bill.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Boyd and Clay, were as follows, viz:

Those who voted in the affirmative, were—

Robert Boyd,	Edwin Hawes,	Thos. Wrightson—5.
E. P. Campbell,	Alfred T. Pope,	

Those who voted in the negative, were—

John S. Barlow,	J. H. Dorman,	John W. Johnson,
R. A. Burton,	Wm. P. Duvall,	William Johnson,

James B. Casey,	W. McKee Fox,	A. L. Martin,
W. H. Chelf,	W. W. Frazer,	A. L. McAfee,
J. Q. Chenoweth,	John J. Gatewood,	O. D. McManama,
James F. Clay,	Jesse C. Gilbert,	E. D. Standeford,
Harrison Cockrill,	D. R. Haggard,	A. G. Talbott,
Wm. L. Conklin,	H. S. Hale,	W. L. Vories,
G. W. Connor,	Thomas F. Hargis,	Ben. J. Webb,
John E. Cooper,	J. B. Haydon,	Emery Whitaker—30.

Mr. Campbell then moved to amend said bill by adding thereto the following additional section, viz:

This act shall not become a law until submitted for the rejection or approval of the qualified voters of the city of Lexington at a regular or special election ordered for the purpose, and unless approved by a majority of the legal and qualified voters of the city of Lexington at such regular or special election.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Campbell and Boyd, were as follows, viz:

Those who voted in the affirmative, were—

Robert Boyd,	W. W. Frazer,	Alfred T. Pope,
E. P. Campbell,	Edwin Hawes,	K. F. Prichard,
Harrison Cockrill,	G. A. C. Holt,	Thos. Wrightson—9.

Those who voted in the negative, were—

John S. Barlow,	J. H. Dorman,	William Johnson,
R. A. Burton,	William P. Duvall,	A. L. Martin,
James B. Casey,	W. McKee Fox,	A. L. McAfee,
W. H. Chelf,	John J. Gatewood,	O. D. McManama,
J. Q. Chenoweth,	D. R. Haggard,	E. D. Standeford,
James F. Clay,	H. S. Hale,	A. G. Talbott,
Wm. L. Conklin,	Thomas F. Hargis,	W. L. Vories,
G. W. Connor,	J. B. Haydon,	Ben. J. Webb,
John E. Cooper,	John W. Johnson,	Emery Whitaker—27.

Ordered, That said bill be read a third time.

The question was then taken on dispensing with the third reading of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Boyd and Campbell, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	William P. Duvall,	William Johnson,
R. A. Burton,	W. McKee Fox,	A. L. Martin,
James B. Casey,	W. W. Frazer,	A. L. McAfee,
W. H. Chelf,	John J. Gatewood,	O. D. McManama,
J. Q. Chenoweth,	Jesse C. Gilbert,	Alfred T. Pope,

James F. Clay,	D. R. Haggard,	K. F. Prichard,
Harrison Cockrill,	H. S. Hale,	E. D. Standeford,
Wm L. Conklin,	Thomas F. Hargis,	A. G. Talbott,
G. W. Connor,	J. B. Haydon,	W. L. Vories,
John E. Cooper,	G. A. C. Holt,	Ben. J. Webb,
J. H. Dorman,	John W. Johnson,	Emery Whitaker—33.

Those who voted in the negative, were—

Robert Boyd,	Edwin Hawes,	Thos. Wrightson—4.
E. P. Campbell,		

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Wrightson and McAfee, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	William P. Duvall,	A. L. Martin,
R. A. Burton,	W. McKee Fox,	A. L. McAfee,
James B. Casey,	Jesse C. Gilbert,	O. D. McManama,
J. Q. Chenoweth,	D. R. Haggard,	E. D. Standeford,
James F. Clay,	H. S. Hale,	A. G. Talbott,
Harrison Cockrill,	Thomas F. Hargis,	W. L. Vories,
G. W. Connor,	John W. Johnson,	Ben. J. Webb,
John E. Cooper,	Wm. Johnson,	Emery Whitaker—25.
J. H. Dorman,		

Those who voted in the negative, were—

Robert Boyd,	F. W. Darby,	J. B. Haydon,
E. P. Campbell,	W. W. Frazer,	Alfred T. Pope,
W. H. Chelf,	John J. Gatewood,	K. F. Prichard,
Wm. L. Conklin,	Edwin Hawes,	Thos. Wrightson—12.

Resolved, That the title of said bill be as aforesaid.

Mr. Chenoweth, from the Committee on Railroads, to whom had been referred the amendments proposed by the House of Representatives to a bill, which originated in the Senate, entitled

An act to amend the charter of the Elizabethtown, Lexington, and Big Sandy Railroad Company,

Reported the same, with the expression of opinion that said amendments should be concurred in.

And the question being taken thereon, it was decided in the affirmative.

Mr. Cooper, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act to amend an act, entitled "An act to establish a criminal court in the 9th judicial district," approved February 5th, 1866, and the several acts amendatory thereof;

An act to amend an act, entitled "An act for the benefit of the estate of Thos. H. Crawford," approved January 13th, 1872;

An act authorizing the judges of the several courts of this Commonwealth to sign unsigned orders and judgments in said courts;

And enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz:

An act to continue in force an act, entitled "An act for the benefit of A. W. Nickell, late sheriff of Johnson county, and his securities," approved February 3d, 1871;

An act to incorporate the Lexington Building and Accumulating Fund Association;

An act to amend an act to incorporate the North Middletown Deposit Bank, approved March 15th, 1869;

An act to amend an act further to define the duties of clerks of circuit, chancery, and county courts of this Commonwealth," approved March 25th, 1871;

An act to amend an act, entitled "An act for the benefit of common school districts in Clinton county;"

Resolutions in relation to distilleries and the tax thereon;

And had found the same truly enrolled.

Said bills and resolutions having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Cooper reported that the committee had performed that duty.

Leave was given to bring in the following bills, viz:

On motion of Mr. Wm. Johnson—

1. A bill to incorporate the Pendleton Coal, Iron Mining, and Manufacturing Company.

On motion of Mr. Pope—

2. A bill for the benefit of citizens of Kentucky of African descent, and their children.

On motion of Mr. Prichard—

3. A bill for the benefit of the Bank of Ashland.

On motion of same—

4. A bill to authorize the county court of Lawrence county to levy an *ad valorem* and *per capita* tax for county purposes.

On motion of Mr. Chelf—

5. A bill to incorporate the Greensburg Deposit Bank.

On motion of Mr. Gatewood—

6. A bill to amend the charter of Smith's Grove, in Warren county.

Ordered, That the Committee on the Judiciary prepare and bring in the 1st; the Committee on Education the 2d; the Committee on Banks and Insurance the 3d and 5th; the Committee on Finance the 4th, and the Committee on Revised Statutes and Codes of Practice the 6th.

And then the Senate adjourned.

FRIDAY, FEBRUARY 23, 1872.

A message was received from the House of Representatives, announcing that they had passed a bill, which originated in the Senate, entitled

An act to enable the board of trustees of the town of Harrodsburg to pay and discharge the indebtedness of the town.

That they had passed bills of the following titles, viz:

1. An act for the benefit of Merrell Hardin.

2. An act to incorporate the Salt River College.

3. An act for the benefit of H. C. Thompson and W. T. Champion, of Livingston county.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st to the Committee on Finance; the 2d to the Committee on Education, and the 3d to the Committee on the Judiciary.

The following petitions and remonstrances were presented, viz:

By Mr. Whitaker—

1. The petition of the directors of the Union Agricultural Association of Mason and Bracken counties, asking the privilege of selling spirituous liquor within the limits of the grounds of said association.

By Mr. Darby—

2. The petition of sundry citizens of the town of Princeton, praying an amendment to the charter of said town.

By Mr. Haggard—

3. The remonstrance of sundry citizens of Russell county, against

certain parties living on Caney creek erecting fish-dams and traps across said stream.

By same—

4. The remonstrance of sundry citizens of Jamestown, in relation to the charter of said town.

By Mr. Cooper—

5. The petition of sundry citizens of Elliott county, asking the passage of an act authorizing Davidson Davis to sell spirituous liquors at his residence without paying license.

Which were received, the reading dispensed with, and referred—the 1st and 4th to the Committee on Religion and Morals; the 2d to the Committee on Courts of Justice, and the 3d and 5th to the Committee on Propositions and Grievances.

The Speaker laid before the Senate the following communication from the Auditor of Public Accounts, in response to a resolution calling on him for certain information, viz:

OFFICE AUDITOR PUBLIC ACCOUNTS,
FRANKFORT, KY., February 23, 1872.

Hon. JNO. G. CARLISLE, *Speaker of the Senate:*

SIR: In response to a resolution adopted by the Senate on 22d ultimo, calling on me for the gross receipts and disbursements of the Treasury from, and including, 1860 to 1872, showing balance to the credit of *Revenue* at the end of each fiscal year, the comparative expense of administering the government of the State from year to year, within that period; the amount of authenticated claims withheld by the Secretary of the Treasury, against the Government of the United States; the rate of taxation each year from 1860 to 1872, inclusive, and the increase or decrease of the aggregate value of the property of the State listed for taxation during that period, I submit the annexed tabular statement. This statement contains a full and complete answer to the several interrogatories propounded to me. I will, however, add, that, in addition to the $525,258 72 which has passed through all of the accounting offices of the Treasury Department at Washington, the Government of the United States is indebted to the State in the further sum of $487,833 79 for advances made during the war, which remains unadjusted.

I have the honor to be,
Very respectfully,
Your obedient servant,
D. HOWARD SMITH, *Auditor.*

A STATEMENT *showing the Receipts and Expenditures of the Treasury for ordinary purposes, from 10th October, 1859, to 10th October, 1871, together with the Surplus or Deficit at the close of each fiscal year, for same period; the aggregate value of taxable property, decrease and increase per year; rate of taxation, and amount of the authenticated claim of State of Kentucky against the General Government, withheld by the Secretary of the United States Treasury:*

Fiscal year ending	Amount of Loans by Commissioners Sinking Fund.	Receipts from taxes, &c.	Total Receipts.	Expenditures.	Deficit.	Surplus.
October 10, 1860		$553,955 85	$553,955 85	$699,292 14	$145,336 29	
October 10, 1861	$300,000 00	582,197 77	882,197 77	729,188 42		$153,009 35
October 10, 1862		559,198 14	559,198 14	507,890 44		51,307 73
October 10, 1863		657,797 68	657,797 68	611,165 80		46,631 88
October 10, 1864		645,642 49	645,642 49	684,969 29	39,326 80	
October 10, 1865		710,463 00	710,463 00	757,446 46	46,983 46	
October 10, 1866		917,378 45	917,378 45	1,122,512 22	205,133 77	
October 10, 1867	350,000 00	942,555 11	1,292,555 11	1,243,755 67		48,799 44
October 10, 1868	300,000 00	1,049,107 39	1,349,107 39	1,267,763 67		81,343 72
October 10, 1869	350,000 00	985,014 38	1,335,014 38	1,207,177 36		127,837 02
October 10, 1870		924,602 11	924,602 11	1,082,639 92	158,037 81	
October 10, 1871	200,000 00	993,076 63	1,193,076 63	1,212,599 50	19,522 87	
	$1,500,000 00	$9,520,989 00	$11,020,989 00	$11,126,400 86	$614,341 00	$508,929 14
		1,500,000 00		11,020,989 00	508,929 14	
		$11,020,989 00		$105,411 86	$105,411 86	

Deficit 10th October, 1872.

STATEMENT—Continued.

Fiscal year ending	Aggregate value of taxable property for the years from 1860 to 1871.	Decrease as compared with valuation of 1860.	Increase from 1862, as compared with the valuation of that year.	Rate of taxation per $100 for each year, from 1860 to 1871.	Amount of authenticated claim of Kentucky against the General Government, withheld by the Secretary of U. S. Treasury.
October 10, 1860	$515,297,385 00			20 cents.	
October 10, 1861	468,863,622 00	$46,433,763 00		20 cents.	
October 10, 1862	354,917,150 00	160,380,235 00		30 cents.	
October 10, 1863	372,968,049 00	142,329,336 00	$18,050,899 00	30 cents.	
October 10, 1864	375,129,756 00	140,167,629 00	20,212,606 00	30 cents.	
October 10, 1865	359,717,161 00	155,580,224 00	4,800,011 00	40 cents.	
October 10, 1866	392,355,952 00	122,941,433 00	37,438,802 00	40 cents.	
October 10, 1867	393,618,655 00	121,678,730 00	38,701,505 00	30 cents.	
October 10, 1868	395,690,328 00	119,607,057 00	40,773,178 00	30 cents.	
October 10, 1869	406,275,778 00	109,021,607 00	51,358,628 00	30 cents.	
October 10, 1870	409,209,061 00	106,088,324 00	54,291,911 00	45 cents.	
October 10, 1871	426,322,707 00	88,974,678 00	71,405,557 00	45 cents.	$525,258 72

Attest: D. HOWARD SMITH, *Auditor.*

Ordered, That five hundred copies thereof be printed for the use of the Senate.

The following bills were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Frazer, from the Committee on Banks and Insurance—

1. A bill to incorporate the Market Bank of Louisville.

By Mr. Frazer, from the Committee on Education—

2. A bill to incorporate the Washington Scientific School, in Mason county.

By Mr. J. W. Johnson, from the Committee on Education—

3. A bill for the benefit of Sulphur Well school district, in Jessamine county.

By same—

4. A bill for the benefit of school district No. 35, in Owen county.

By Mr. Standeford, from the Committee on Internal Improvement—

5. A bill to amend the Catnip Hill Turnpike Road Company, in Jessamine county.

By same—

6. A bill to incorporate the Smithfield and Pendleton Turnpike or Gravel Road Company.

By same—

7. A bill to amend the charter of the Ballardsville and Christiansburg Turnpike Road Company.

By same—

8. A bill to incorporate the Mattingly Coal Company.

By Mr. Hargis, from the Committee on the Judiciary—

9. A bill to extend the time of collecting the fee bills of E. H. Logan, late clerk of the Rowan county and circuit courts.

By same—

10. A bill to increase the jurisdiction of the police court of the town of Ashland, and of the town of Morehead.

By Mr. Haggard, from the Committee on Propositions and Grievances—

11. A bill for the benefit of the Kentucky River Navigation Company.

By Mr. Chenoweth, from the Committee on Railroads—

12. A bill for the benefit of the Elizabethtown, Lexington, and Big Sandy Railroad Company.

By Mr. Campbell, from a select committee—

13. A bill to repeal an act, entitled "An act for the benefit of the

common school district No. 8, in Lewis county," approved January 10th, 1872.

By Mr. Conklin, from the Committee on Revised Statutes and Codes of Practice—

14. A bill to amend the criminal laws of this Commonwealth.

By Mr. Gatewood, from the Committee on Revised Statutes and Codes of Practice—

15. A bill for the benefit of the Female Seminary of the city of Paducah.

By same—

16. A bill for the benefit of the University of the city of Paducah.

By same—

17. A bill to amend an act to incorporate the town of Smith's Grove.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, the 11th was ordered to be printed, and made the special order of the day for Tuesday, the 27th inst., and the rest were ordered to be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Gatewood, from the Committee on Education, to whom had been referred the petition and remonstrances of sundry citizens of Caldwell county, in relation to the charter of the Princeton College,

Asked to be discharged from the further consideration thereof.

Which was granted.

Ordered, That said petition and remonstrances be referred to the Committee on the Judiciary.

Mr. Conklin, from the Committee on Finance, to whom had been referred the petition of F. M. Slunker, asking an appropriation for taking care of a pauper idiot,

Asked to be discharged from the further consideration of said petition.

Which was granted.

Ordered, That said petition be referred to the Committee on Claims.

Mr. Campbell, from the Committee on Revised Statutes and Codes of Practice, to whom had been referred leave to bring in a bill, entitled

A bill to amend chapter 84, article 1, title "Public Roads," of the Revised Statutes;

Also leave to bring in a bill, entitled

A bill to amend section 502 of the Civil Code of Practice,

Asked to be discharged from the further consideration of said leaves.

Which was granted.

Mr. Chenoweth, from the Committee on Railroads, reported a bill, entitled

A bill to authorize the Mississippi Central Railroad Company to extend their road into and through the State of Kentucky.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Mr. Clay proposed an amendment to said bill.

Pending the consideration of which, on motion of Mr. Haydon,

Ordered, That said bill and proposed amendment be printed, and made the special order of the day for Monday, the 26th inst.

Mr. Conklin, from the Committee on Finance, to whom had been referred a bill, which originated in the House of Representatives, entitled

An act to amend an act, entitled "An act for the benefit of the sureties of W. B. Simmons, late sheriff of Meade county,"

Asked to be discharged from the further consideration of said bill, and that it be referred to the Committee on the Judiciary.

Which was granted.

Mr. Gilbert offered the following resolution, viz:

Resolved, That from and after Monday next the Senate will meet at nine o'clock, A. M., on each day, until the final adjournment of the present session of the General Assembly.

Which was read and placed in the orders of the day.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Whitaker, from the Committee on Banks and Insurance—

An act to incorporate the Christian County Bank.

By Mr. Gilbert, from the Committee on Courts of Justice—

12. An act to change the time of holding the court of claims in Grant county.

By Mr. Conklin, from the Committee on Finance—

An act for the benefit of Henry G. Black, of Ballard county.

By Mr. Hale, from the Committee on Finance—

An act for the benefit of the heirs of R. M. Biggs, deceased.

By same—

An act for the benefit of William Cummins and his sureties.

By same—

An act for the benefit of the securities of Robert Hamilton, late sheriff of Perry county.

By Mr. Standeford, from the Committee on Internal Improvement—

An act for the benefit of certain turnpike roads in Bath county.

By same—

An act to amend the charter of the Alexandria and Flagg Spring Turnpike Road Company.

By Mr. Duvall, from the Committee on Internal Improvement—

An act to amend the first section of an act, entitled "An act to prevent the destruction of fish in Clover creek, in Breckinridge county."

By same—

An act to amend an act, entitled "An act to incorporate the Mount Sterling and Spencer Creek Turnpike Road Company," approved May 24th, 1861.

By Mr. Clay, from the Committee on the Judiciary—

An act for the benefit of Montgomery Lodge, No. 23, of Free and Accepted Masons.

By Mr. Chenoweth, from the Committee on Railroads—

An act for the benefit of Henry county.

By Mr. Conklin, from the Committee on Revised Statutes and Codes of Practice—

An act to amend section 20 of article 1, of chapter 91, of the Revised Statutes.

By Mr. Cooper, from the Committee on Revised Statutes and Codes of Practice—

An act to amend the charter of the town of Lawrenceburg.

By Mr. Standeford, from the Committee on Internal Improvement—

An act to amend an act, entitled "An act exempting salt wagons

from paying toll on the Wilderness Turnpike Road, in Knox and Josh Bell counties."

With an amendment to the last named bill.

Which was adopted.

Ordered, That said bills, the last as amended, be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Hale, from the Committee on Finance—

An act for the benefit of Mrs. Rebecca C. Hill, of Barlow City, in Ballard county;

By same—

An act for the benefit of Geo. W. McClure, coroner of Rockcastle county;

By Mr. Cooper, from the Committee on Revised Statutes and Codes of Practice—

An act to amend section 101 of the Criminal Code of Practice;

With the expression of opinion that said bills ought not to pass.

And the question being taken on ordering said bills to be read a third time, the opinion of the committee to the contrary notwithstanding, it was decided in the negative.

So said bills were disagreed to.

Mr. Burton, from the Committee on Appropriations, to whom was referred a bill, which originated in the House of Representatives, entitled

An act to appropriate money for the benefit of the Commissioners of the Kentucky Institution for the Education and Training of Feeble-minded Children,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the sum of $4,850 be, and the same is hereby, appropriated, payable out of any money in the Treasury not otherwise appropriated, for the purpose of enabling the Commissioners of the Kentucky Institution for the Education and Training of Feeble-minded Children to pay for heating apparatus bought for said Insti-

tution; to purchase necessary furniture therefor; for a new boiler; for reconstructing the engine-house; for a cooking range for the Institution; and for the erection of a house for the engineer; said sum, or such parts thereof as may be necessary for the purposes named, to be expended under the superintendence and direction of said commissioners; and to be paid out on their orders by the Auditor of Public Accounts in such sums as such commissioners may from time to time direct.

§ 2. This act to take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	J. H. Dorman,	John W. Johnson,
Robert Boyd,	William P. Duvall,	Wm. Johnson,
R. A. Burton,	W. W. Frazer,	A. L. McAfee,
E. P. Campbell,	John J. Gatewood,	K. F. Prichard,
J. Q. Chenoweth,	Jesse C. Gilbert,	E. D. Standeford,
James F. Clay,	D. R. Haggard,	W. L. Vories,
Harrison Cockrill,	H. S. Hale,	Ben. J. Webb,
Wm. L. Conklin,	Edwin Hawes,	Emery Whitaker,
John E. Cooper,	J. B. Haydon,	Thos. Wrightson—28.
F. W. Darby,		

In the negative, Thos. F. Hargis—1.

Resolved, That the title of said bill be as aforesaid.

Mr. Barlow, from the Committee on Claims, to whom had been referred a bill, which originated in the House of Representatives, entitled

An act for the benefit of Solomon Tingle, of Henry county,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

WHEREAS, It appears that Elijah Vest, a person of unsound mind, was, by the order of the Henry county court, directed to be confined in the Eastern Lunatic Asylum at Lexington; and this institution having already more than its complement of patients at that time, and the Superintendent, in consequence, refusing to receive said Vest; and it further appearing that the county court did order Solomon Tingle, jailer of said county, to take, confine, and otherwise treat and provide for said patient; which order said Tingle did faithfully perform from the 8th day of August, 1871, until the 12th day of October, 1871; and upon the presentation of his account to the circuit court, the same was allowed at the rate of two dollars per day, and seventy-five cents for committing and releasing the patient; but on presentation, the Auditor refused to pay the same for want of

authority of law; and it appearing further that said Tingle kept said Vest ten days after said circuit court had adjourned; and whereas, it appears that Thomas Jenkins, a man of color, of unsound mind, was, by the order of the same court, directed to be confined in the Eastern Lunatic Asylum at Lexington; and said institution having already more than its complement of patients at that time, and the Superintendent, in consequence thereof, refused to receive him; and it further appearing that the judge of the county court did order and direct Solomon Tingle aforesaid to take, confine, treat, and otherwise provide for said Thomas Jenkins, which order said Tingle did faithfully perform for eight days; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts be, and he is hereby directed to draw his warrant on the Treasury for the sum of one hundred and sixty-five dollars and seventy-five cents in favor of said Tingle, to be paid out of any money in the Treasury not otherwise appropriated.

§ 2. This act to take effect from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	J. H. Dorman,	Wm. Johnson,
Robert Boyd,	Wm. P. Duvall,	A. L. McAfee,
R. A. Burton,	W. W. Frazer,	K. F. Prichard
E. P. Campbell,	John J. Gatewood,	E. D. Standeford,
J. Q. Chenoweth,	Jesse C. Gilbert,	W. L. Vories,
James F. Clay,	D. R. Haggard,	Ben. J. Webb,
Harrison Cockrill,	H. S. Hale,	Emery Whitaker,
John E. Cooper,	Edwin Hawes,	Thos. Wrightson—28.
F. W. Darby,	J. B. Haydon,	

In the negative—none.

Resolved, That the title of said bill be as aforesaid.

Mr. Burton, from the Committee on Finance, to whom had been referred a bill, which originated in the House of Representatives, entitled

An act to pay Bullitt county for keeping pauper lunatics,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the sum of $587 70 be hereby appropriated to Bullitt county for the purpose of paying to said county the amount paid

her for keeping pauper lunatics of said county that could not be received at either of the Asylums.

§ 2. That the Auditor of Public Accounts shall draw his warrant upon the Treasurer of the State, payable to the county judge of said county, for said sum of $587 70, to be paid out of any money in the Treasury not otherwise appropriated.

§ 3. This act shall take effect after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	John E. Cooper,	Edwin Hawes,
Robert Boyd,	F. W. Darby,	John W. Johnson,
R. A. Burton,	J. H. Dorman,	Wm. Johnson,
E. P. Campbell,	William P. Duvall,	A. L. McAfee,
James B. Casey,	W. W. Frazer,	K. F. Prichard,
J. Q. Chenoweth,	John J. Gatewood,	E. D. Standeford,
James F. Clay,	Jesse C. Gilbert,	W. L. Vories,
Harrison Cockrill,	D. R. Haggard,	Ben. J. Webb,
Wm. L. Conklin,	H. S. Hale,	Emery Whitaker,
G. W. Connor,	Thomas F. Hargis,	Thos. Wrightson—30.

In the negative—none.

Resolved, That the title of said bill be as aforesaid.

Mr. Duvall, from the Committee on Internal Improvement, to whom had been referred a bill, which originated in the House of Representatives, entitled

An act for the benefit of Stephen T. Blair and Samuel Blair, of Letcher county,

Reported the same without amendment.

Ordered, That the further consideration of said bill be postponed to, and made the special order of the day for, Thursday, the 29th inst.

Mr. McManama, from the Committee on Library and Public Buildings and Offices, to whom had been referred a bill, which originated in the House of Representatives, entitled

An act to amend the charter of the Lexington Library,

Reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Chenoweth, from the Committee on Railroads, to whom had been referred the amendment proposed by the House of Representatives to a bill, which originated in the Senate, entitled

An act to amend an act, entitled "An act to incorporate the Frankfort, Paris, and Big Sandy Railroad Company,"

Reported the same, with the expression of opinion that said amendment should be concurred in.

On motion of Mr. Hawes,

Ordered, That the further consideration of said bill and proposed amendment be postponed to, and made the special order of the day for, Wednesday, the 28th inst.

Mr. Campbell, from the Committee on Revised Statutes and Codes of Practice, reported a bill, entitled

A bill to exempt the wages of laborers who are *bona fide* housekeepers of this Commonwealth, with a family, from attachment or garnishee not exceeding one hundred dollars.

Which bill was read the first time, and ordered to be read a second time.

Said bill was read a second time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That hereafter the wages for work done by laborers who are *bona fide* house-keepers of this Commonwealth, with a family, shall be exempt from attachment or garnishee not exceeding one hundred dollars.

§ 2. That all acts and parts of acts in conflict with this act are hereby repealed.

§ 3. This act shall take effect and be in force from and after its passage.

Mr. Chelf then moved to amend said bill as follows, viz:

Strike out the words "one hundred."

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Hargis and Wrightson, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	W. W. Frazer,	A. L. McAfee,
Robert Boyd,	John J. Gatewood,	K. F. Prichard,
R. A. Burton,	Jesse C. Gilbert,	E. D. Standeford,
W. H. Chelf,	Edwin Hawes,	W. L. Vories,
Wm. L. Conklin,	J. B. Haydon,	Ben. J. Webb,
G. W. Connor,	John W. Johnson,	Emery Whitaker,
F. W. Darby,	William Johnson,	Thos. Wrightson—22.
J. H. Dorman,		

Those who voted in the negative, were—

E. P. Campbell, William P. Duvall, Thomas F. Hargis,
James F. Clay, H. S. Hale, O. D. McManama—7.
John E. Cooper,

Mr. Standeford then moved to fill the blank with the word "fifty."

And the question being taken thereon, it was decided in the affirmative.

Ordered, That said bill, as amended, be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Cooper, from the Committee on Enrollments, reported that the committee had examined an enrolled bill, which originated in the Senate, of the following title, viz:

An act to amend the charter of the Elizabethtown, Lexington, and Big Sandy Railroad Company;

And had found the same truly enrolled.

Said bill having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and it was delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Cooper reported that the committee had performed that duty.

Leave was given to bring in the following bills, viz:

On motion of Mr. Conklin—

1. A bill to compel corporations whose charters require bond to be executed to comply with said requirement.

On motion of Mr. John W. Johnson—

2. A bill to amend an act, entitled "An act for the protection of livery-stable keepers in this Commonwealth," approved January 31st, 1871.

On motion of Mr. Barlow—

3. A bill for the benefit of the county of Barren.

On motion of Mr. Gilbert—

4. A bill to amend section 832 of the Civil Code of Practice.

On motion of Mr. Prichard—

5. A bill to incorporate the Memorial Male and Female Institute.

On motion of Mr. Hargis—

6. A bill to repeal an act to authorize creditors in certain cases to garnishee before judgment or return of no property, approved March 15th, 1870.

On motion of Mr. Dorman—

7. A bill to legalize certain proceedings of the Owen county court.

On motion of Mr. McManama—

8. A bill to amend article 1, chapter 47, of the Revised Statutes.

On motion of Mr. Campbell—

9. A bill to amend an act, entitled "An act for the protection of livery-stable keepers in this Commonwealth," passed and approved January 31st, 1871.

Ordered, That the Committee on the Judiciary prepare and bring in the 1st and 6th; the Committee on Propositions and Grievances the 2d; the Committee on Railroads the 3d; the Committee on Revised Statutes and Codes of Practice the 4th, 8th, and 9th; the Committee on Education the 5th, and the Committee on Courts of Justice the 7th.

And then the Senate adjourned.

SATURDAY, FEBRUARY 24, 1872.

A message was received from the House of Representatives, announcing that they had concurred in the resolution which originated in the Senate, entitled

Resolution on the death of Daniel Clark, "Ancient Governor."

That they had disagreed to a bill, which originated in the Senate, entitled

An act requiring certain sales and warning orders to be published in a newspaper published in the county of Shelby.

That they had passed bills, which originated in the Senate, of the following titles, viz:

An act to authorize the county courts of Nicholas and Bourbon counties to compel persons to keep stock off of public roads.

An act to change and regulate the time of holding the circuit courts in the first judicial district.

With amendments thereto.

The last of which was taken up and concurred in.

A message was also received from the House of Representatives, announcing that they had concurred in the amendments proposed by the Senate to bills, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Caseyville Deposit Bank, of Union county.

An act to incorporate the Smith's Grove Deposit Bank.

An act for the appointment of official reporters, and for the preservation of evidence in certain cases.

That they had passed bills of the following titles, viz:

1. An act to provide for voting by ballot in the election of Representatives in Congress.

2. An act to incorporate the Contracting and Building Company, for the purpose of building, and aiding in building, railroads, bridges, and telegraph lines.

3. An act exempting the property now occupied by H. F. Smith, in Harrison county, for school purposes, from taxation.

4. An act to authorize the clerk of the Todd county court to make a cross-index to all the deeds in his office.

5. An act to protect the owners of land, and to prevent certain trespasses, in Logan and Todd counties.

6. An act to prohibit the sale of ardent spirits in the first and fifth magisterial districts of Todd county.

7. An act to authorize J. D. Cumbie to change the direction of the State road running through his land, in Todd county.

8. An act to permit Nelson Bridges to peddle without license.

9. An act to regulate the sale of liquors in Marion county.

10. An act to prohibit the sale of liquor in Letcher county.

11. An act to prevent the sale of spirituous liquors in Warren county.

12. An act to amend an act, entitled "An act to incorporate the Grand Central Industrial Exposition," approved February 16th, 1872.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st to the Committee

on Privileges and Elections; the 2d to the Committee on Railroads; the 3d to the Committee on Education; the 4th to the Committee on Courts of Justice; the 5th and 8th to the Committee on the Judiciary; the 6th, 9th, 10th, and 11th to the Committee on Religion and Morals, and the 7th and 12th to the Committee on Internal Improvement.

Mr. Hale presented the petition of sundry citizens of Sugar Ridge school district, in Graves county, asking that the same be formed into a common school district.

Which was received, the reading dispensed with, and referred to the Committee on the Judiciary.

A message in writing was received from the Governor by Mr Botts, Assistant Secretary of State.

Said message was taken up and read as follows, viz:

State of Kentucky, Executive Department,
Frankfort, February 24th, 1872.

Gentlemen of the Senate:

I hereby nominate for your advice and consent the following persons as suitable to be commissioned as notaries public, viz:

J. W. Bickers, McLean county.
Leeland Hathaway, Clark county.
A. A. Trimble, McCracken county.
Hiram Smith, Union county.
J. Matt. Curd, Mercer county.
J. H. M. Morris, Jefferson county.
S. P. Cardwell, Mercer county.
J. W. Cardwell, Mercer county.
R. A. Athey, Kenton county.
Geo. S. Wolford, Jefferson county.
W. W. Helm, Jefferson county.

Respectfully

P. H. LESLIE.

Resolved, That the Senate advise and consent to said appointments.

A message in writing was also received from the Governor by Mr. Botts, Assistant Secretary of State.

Said message was taken up and read as follows, viz:

State of Kentucky, Executive Department,
Frankfort, February 24, 1872.

Gentlemen of the Senate:

I nominate for your advice and consent D. Howard Smith, James W. Tate, John Rodman, Will. L. Vories, Stephen Black, Nelson Alley, and William Gipson, to be Commissioners of the Kentucky Institution for the Education of Feeble-minded Children and Idiots.

Respectfully,

P. H. LESLIE.

Resolved, That the Senate advise and consent to said appointments.

A message was also received from the Governor by Mr. Botts, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to incorporate the Grand Central Industrial Exposition.

An act to legalize the acts of O. G. Moore, late sheriff of Edmonson county, and authorizing him to give bond.

An act authorizing incorporated towns to establish work-houses and station-houses, and authorizing the confinement of persons guilty of violating town ordinances to be confined in the work-house, or put to work on the streets.

An act for the benefit of B. F. Ryal, jailer of Cumberland county.

An act for the benefit of L. H. Oakley and W. H. Litton, of Laurel county.

An act to repeal the charter of the town of Walton, Boone county.

An act for the benefit of P. G. Lawson, of Warren county.

An act for the benefit of Irvin W. Bowman, late deputy sheriff of Bracken county.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Gilbert, from the Committee on Courts of Justice—

An act to amend section 39 of the city charter of Owensboro.

By same—

An act to amend an act, entitled "An act to prevent justices of the peace in Kenton county from holding inquests in certain cases," approved March 22d, 1871.

By same—

An act to require the clerk of the Louisville chancery court to make a cross-index to suits and cross-suits in said court, and continue the same.

By Mr. Gatewood, from the Committee on Education—

An act for the benefit of W. B. Stivers, school commissioner of Madison county.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Gilbert, from the Committee on Courts of Justice, to whom had been referred a bill, which originated in the House of Representatives, entitled

An act to create magistrates' and constable's district No. 11, in Hardin county,

Reported the same, with the expression of opinion that said bill ought not to pass.

And the question being taken on ordering said bill to be read a third time, the opinion of the committee to the contrary notwithstanding, it was decided in the negative.

So said bill was disagreed to.

Mr. Gilbert, from the Committee on Courts of Justice, to whom had been referred a bill, which originated in the House of Representatives, entitled

An act to incorporate the German Baptist Bethesda Society,

Asked to be discharged from the further consideration thereof, and that the same be referred to the Committee on the Judiciary.

Which was granted.

Mr. Gilbert, from the Committee on Courts of Justice, to whom had been referred a bill, which originated in the House of Representatives, entitled

An act to regulate sales made under decrees of the Metcalfe circuit court,

Reported the same without any expression of opinion.

Said bill reads as follows, viz:

[*For bill—see Session Acts present session.*]

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Gilbert and Wm. Johnson, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	John E. Cooper,	John W. Johnson,
W. H. Chelf,	John J. Gatewood,	William Johnson,
James F. Clay,	Jesse C. Gilbert,	K. F. Prichard,
Harrison Cockrill,	Thomas F. Hargis,	A. G. Talbott,
Wm. L. Conklin,	J. B. Haydon,	W. L. Vories—17.
G. W. Connor,	G. A. C. Holt,	

Those who voted in the negative, were—

Robert Boyd, W. W. Frazer, Edwin Hawes—5.
E. P. Campbell, H. S. Hale,

Resolved, That the title of said bill be as aforesaid.

Mr. Gatewood, from the Committee on Education, to whom had been referred a bill, which originated in the House of Representatives, entitled

An act to incorporate the Salt River College,

Reported the same with sundry amendments.

Said bill reads as follows, viz:

[*For bill—see Session Acts present session.*]

The amendments proposed by the committee were as follows, viz:

In section five, line five, strike out the words "the board of directors may deem," and insert the words "may be." In section five, line eight, strike out all after the word "against," and insert in lieu thereof the following: "necessary to carry out the object of this act, and not inconsistent with the Constitution and laws of this State." In section ten, line three, strike out the words "said college," and insert "said district."

And the question being taken on the adoption of said amendments, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Gatewood and Frazer, were as follows, viz:

Those who voted in the affirmative, were—

Robert Boyd, W. W. Frazer, Edwin Hawes,
E. P. Campbell, John J. Gatewood, John W. Johnson—6.

Those who voted in the negative, were—

John S. Barlow, G. W. Connor, Thomas F. Hargis,
W. H. Chelf, John E. Cooper, J. B. Haydon,
James F. Clay, F. W. Darby, Wm. Johnson,
Harrison Cockrill, Jesse C. Gilbert, K. F. Prichard,
Wm. L. Conklin, H. S. Hale, A. G. Talbott—15.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Hawes and Gatewood, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow, G. W. Connor, Thomas F. Hargis,
W. H. Chelf, John E. Cooper, J. B. Haydon,
James F. Clay, F. W. Darby, William Johnson,

Harrison Cockrill,	Jesse C. Gilbert,	K. F. Prichard,
Wm. L. Conklin,	H. S. Hale,	A. G. Talbott—15.

Those who voted in the negative, were—

Robert Boyd,	W. W. Frazer,	Edwin Hawes,
E. P. Campbell,	John J. Gatewood,	John W. Johnson—6.

Resolved, That the title of said bill be as aforesaid.

The following bills were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Campbell, from the Committee on Revised Statutes and Codes of Practice—

1. A bill to extend the provisions of an act, entitled "An act for the protection of livery stable-keepers in this Commonwealth," approved January 31st, 1871, to the counties of Christian, McLean, Boyd, Estill, Madison, Nicholas, Caldwell, Fleming, Boyle, Garrard, Lincoln, Casey, Harrison, Hopkins, Bourbon, Clark, Montgomery, Bath, and Crittenden.

By Mr. John W. Johnson, from the Committee on Religion and Morals—

2. A bill to prevent the destruction of fish in Mercer county.

By Mr. W. Johnson, from a joint select committee—

3. A bill to lay off the State into Congressional Districts.

By Mr. Darby, from the Committee on Courts of Justice—

4. A bill to amend an act, entitled "An act further to amend the acts in relation to Elizabethtown and to extend its bounds," approved March 11, 1867.

By same—

5. A bill to amend an act, entitled "An act to amend the charter of the town of Elizabethtown."

By same—

6. A bill to amend an act, entitled "An act to repeal the charter and reincorporate the town of Elizabethtown."

By Mr. Conklin, from the Committee on Finance—

7. A bill to authorize the Lawrence county court to levy an ad valorem and per capita tax for county purposes.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, the 3d was ordered to be printed, and made the special order of the day for Thursday, the 29th inst., and the rest were ordered to be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The Senate, according to order, took up for consideration a bill, entitled

A bill to incorporate the Green River Lock and Dam Company.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That W. H. Page, W. S. Vanmeter, John V. Sproule, Larkin J. Proctor, W. C. York, and T. B. McIntire, be, and they are hereby, created a body corporate, under the name and style of the "Green River Lock and Dam Company," with authority to associate such persons with them as may subscribe stock in said company; and said company, in its corporate name, may sue and be sued; may have a corporate seal, and change the same at pleasure, and transact all the legitimate business of said company.

§ 2. The incorporators herein named, or any one or more of them, may open books and take subscription of stock in said company in shares of one hundred dollars each, and each share to be represented by one vote, to be voted by the owner thereof, or by proxy. No books shall be opened for that purpose until thirty days' notice thereof shall first be given in some public newspaper, giving notice of the time and place of opening said books; and if the whole stock required shall not be taken in ten days, the books may remain open until all shall be taken, and may be closed when it may be thought a sufficient amount to do the work shall have been subscribed.

§ 3. The capital stock of said company shall be the amount subscribed, and shall not exceed four hundred thousand dollars; and whenever fifty thousand dollars of said stock shall have been subscribed, the company may organize by the election of a president and five directors, who shall hold their office for one year, and shall be elected annually; each officer may continue to hold his office until his successor shall be elected by the company; but no person shall be a member of the company except stockholders.

§ 4. That upon organization of said company, it may proceed to build one or more locks and dams in Green river above the head of slack-water, so as to extend slack-water navigation up said river; the navigation thereof to be open to all things, and every person desiring to navigate said river; the locks not to be smaller than those now in use in Green river.

§ 5. Said company building said locks and dams shall have the right to control the same, and shall have all the profits thereof, including the tolls and water-powers, subject to the restrictions of this charter, and to the rights of others to navigate the river, and pass said locks and dams, under such regulations as are prescribed herein, and such as the company may make, not inconsistent with this

charter; said locks and dams, and the privileges herein granted, shall be a property vesting in the company for thirty years.

§ 6. Whilst the rights of others to navigate said river shall not be prohibited, nevertheless, in consideration of the building of said locks and dams, the company may charge and collect tolls upon all persons, boats, rafts, and crafts of every description passing through said locks, at rates not exceeding those now allowed by law to be charged on said river, and said tolls may be collected as other tolls are collectable; and for the protection of the works, and the rights of the company, the same rules and regulations allowed by law respecting the Green and Barren river line of navigation, and respecting the locks and dams on said line, shall apply to the locks and dams herein authorized to be constructed.

§ 7. Said company may purchase and hold such real estate on one or both sides of the river at said locks and dams as may be necessary, not exceeding, say ten acres on each side of said river, and in such shape as they may need it, for the purpose of constructing said locks and dams, abutments, water-powers, aqueducts, houses, machine shops, and factories, necessary in connection with the use of the water-power aforesaid, and for the purpose of the company in the management of the work and business authorized by this charter; and if necessary, said real estate may be procured under the ordinary form of writ of *ad quod damnum*, as, for example, is provided in the Louisville and Nashville Railroad charter.

§ 8. The object of this charter being to increase and extend the facilities of navigation, at the same time to make water-power for the use of the company, and for the commerce and advantage of the public, the said company, to reward them for their work and capital expended, are further authorized to sell or lease said water-power, or to use the same for the purposes of machinery, as they may choose; and whatever machinery they may so employ, shall be held by the company as a corporation as aforesaid, or they may sell or lease the same, as also their said locks and dams, and franchises, as a majority of the company may elect; and any member may sell or otherwise dispose of his stock in said company, which shall pass by assignment.

§ 9. Said company may receive subscriptions in money, notes, bonds, securities, or other property, for the purposes of said enterprise, either as donations or otherwise, as may be agreed by them with any party making the subscription, and, if necessary, may issue bonds, borrow money, and pledge the property of the company, as by mortgage, as security therefor, said bonds payable within thirty years with interest not exceeding ten per cent. per annum, in the form of coupons attached to the bonds, payable semi-annually at Louisville, Kentucky. The stockholders shall not be liable beyond the amount of stock subscribed by them respectively.

§ 10. The company shall make by-laws for its government, not inconsistent with this charter or with the laws of the land.

§ 11. The company shall commence the work in good faith within one year after a sufficient amount of stock shall have been subscribed to build one lock and dam; and their works in process of completion

shall not be taxable for county, town, or State purposes, until the same shall be finished.

§ 12. This act to take effect from its passage.

Mr. Hawes then proposed to amend said bill as follows, viz:

In section five, line six, strike out all after the word "granted," and insert the following: "shall be property vesting in the company to expire with and at the same time of the charter of the Green and Barren River Navigation Company."

And the question being taken on the adoption of said amendment, it was decided in the negative.

Mr. Hawes then proposed further to amend said bill by adding to the eighth section the following, viz:

And said right shall in nowise conflict with rights of the State at the expiration of said charter.

And the question being taken on the adoption of said amendment, it was decided in the negative.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Hawes and Campbell, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	William P. Duvall,	J. B. Haydon,
Robert Boyd,	W. W. Frazer,	G. A. C. Holt,
W. H. Chelf,	John J. Gatewood,	John W. Johnson,
Wm. L. Conklin,	Jesse C. Gilbert,	Wm. Johnson,
G. W. Connor,	H. S. Hale,	K. F. Prichard,
F. W. Darby,	Thomas F. Hargis,	A. G. Talbott—18.

Those who voted in the negative, were—

E. P. Campbell,	John E. Cooper,	Edwin Hawes—4.
James F. Clay,		

Resolved, That the title of said bill be as aforesaid.

The several committees to whom had been referred the following petitions, reported the same, viz:

By Mr. Wm. Johnson, from the Committee on the Judiciary—

The petition of sundry citizens of Caldwell county, praying the passage of an act repealing the charter of the Princeton College;

By Mr. Gilbert, from the Committee on Courts of Justice—

The petition of sundry citizens of Grayson county, praying the creation of an additional justices' district in said county;

By Mr. Barlow, from the Committee on Claims—

The petition of the justices of the peace of Christian county, praying for an increase of compensation for their services for holding levy court;

And asked to be discharged from the further consideration thereof.

Which was granted.

Mr. Cooper, from the Committee on Enrollments, reported that the committee had examined an enrolled bill, which originated in the Senate, of the following title, viz:

An act to enable the board of trustees of the town of Harrodsburg to pay and discharge the indebtedness of the town;

And enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Caseyville Deposit Bank, of Union county;

An act to incorporate the Smith's Grove Deposit Bank;

An act to appropriate money for the benefit of the Commissioners of the Kentucky Institution for the Education and Training of Feeble-minded Children;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Cooper reported that the committee had performed that duty.

And then the Senate adjourned.

MONDAY, FEBRUARY 26, 1872.

A message was received from the House of Representatives, announcing that they had concurred in the amendment proposed by the Senate to a bill, which originated in the House of Representatives, entitled

An act to incorporate the town of Montgomery, in Trigg county.

That they had passed bills, which originated in the Senate, of the following titles, viz :

An act authorizing the trustees of the Baptist Church of East Fork, in Henry county, to sell the church property, and reinvest the proceeds.

An act to prohibit the sale of spirituous, vinous, or malt liquors in a certain portion of the Bridgeport election precinct.

With an amendment to the last named bill.

That they had passed bills of the following titles, viz :

1. An act to prohibit the sale of spirituous, &c., liquors in Garrard county.

2. An act to change the name of Greenupsburg to Greenup.

3. An act to amend an act in relation to the sale of spirituous liquors in Letcher county, approved March 21st, 1870.

4. An act relating to the sale of ardent spirits in Carter county.

5. An act to prohibit the sale of spirituous liquors at retail in the Peak's Mill voting precinct, in Franklin county.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st, 3d, 4th, and 5th to the Committee on Religion and Morals, and the 2d to the Committee on Propositions and Grievances.

A message was also received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz :

An act to amend the charter of the Cornwall Candle Factory, of Louisville.

An act for the benefit of Benjamin Goodin, R. P. Gresham, and George W. Roberts, of Rockcastle county.

An act for the benefit of the sureties of J. C. Calhoon, late sheriff of McCracken county.

Resolution directing distribution of Owen's Geological Survey.

Mr. John W. Johnson presented the remonstrance of sundry citizens of Owensboro against extending the limits of said city.

Which was received, the reading dispensed with, and referred to the Committee on Propositions and Grievances.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz :

By Mr. Gilbert, from the Committee on Courts of Justice—

An act to authorize the clerk of the Todd county court to make a cross-index to all the deeds in his office.

By Mr. Conklin, from the Committee on Finance—

An act for the benefit of John B. Greenwell, of Owen county.

By Mr. Standeford, from the Committee on Internal Improvement—

An act to authorize J. D. Cumbie to change the direction of the State road running through his land, in Todd county.

By same—

An act to amend an act, entitled "An act to incorporate the Grand Central Industrial Exposition," approved February 16, 1872.

By Mr. Talbott, from the Committee on Railroads—

An act to incorporate the Contracting and Building Company, for the purpose of building, and aiding in building, railroads, bridges, and telegraph lines.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Gilbert, from the Committee on Courts of Justice, to whom had been referred a bill, which originated in the House of Representatives, entitled

An act to require the county court of Christian county to appoint commissioners to divide said county into not less than fifteen magisterial districts,

Reported the same, with the expression of opinion that said bill ought not to pass, it coming under rule eighty-one.

Mr. Campbell then moved to dispose with said rule.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Campbell and Hargis, were as follows, viz:

Those who voted in the affirmative, were—

Robert Boyd,	F. W. Darby,	K. F. Prichard,
E. P. Campbell,	Jesse C. Gilbert,	E. D. Standeford,
G. W. Connor,	H. S. Hale,	A. G. Talbott—9.

Those who voted in the negative, were—

John S. Barlow,	W. McKee Fox,	John W. Johnson,
James F. Clay,	W. W. Frazer,	Wm. Johnson,
Wm. L. Conklin,	John J. Gatewood,	W. L. Vories,
John E. Cooper,	Thomas F. Hargis,	Ben. J. Webb—14.
William P. Duvall,	Edwin Hawes,	

So the opinion of the committee was concurred in.

Mr. Hargis, from the Committee on the Judiciary, to whom was referred leave to bring in a bill, entitled

A bill to amend an act, entitled "An act to change the time of holding the circuit courts in the first judicial district,"

Asked to be discharged from the further consideration of said leave.

Which was granted.

The following bills were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Holt, from the Committee on Courts of Justice—

A bill for the benefit of J. C. Linn, late sheriff of Calloway county.

By Mr. Talbott, from the Committee on Railroads—

A bill to limit the power of the Barren county court in ordering elections for subscriptions of stock to the Cumberland and Ohio Railroad Company.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The Senate took up for consideration a bill, entitled

A bill to regulate the fees of the Register of the Land Office.

Ordered, That said bill be referred to the Committee on the Judiciary.

The Senate also took up for consideration a bill, entitled

A bill to incorporate the Carrsville Silver and Lead Mining Company.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That P. C. Barnett, C. L. Harris, F. C. Cox, James Fleming, Richard Miles, and J. C. Barnett, and their associates, successors, and assigns, be, and they are hereby, created a body-politic and corporate, with perpetual succession, by the name and style of the "Carrsville Silver and Lead Mining Company;" and by that name may contract and be contracted with, plead and be impleaded, sue and be sued, in all courts and places in this Commonwealth, as a natural person may; and may have and use a common seal, and break, alter, or change same at pleasure; and said company shall have and may exercise any and all other powers usual and incident to corporations in this State.

§ 2. The property, business, and affairs of said company shall be vested in, and managed and controlled by, a board of six directors, to be chosen by the stockholders therein, as the by-laws of said company may prescribe; and the said board of directors are hereby authorized and fully empowered to make such by-laws, rules and regulations, for the management, government, and control of said company, its property, business, and affairs, as they may deem proper, not inconsistent with the laws of the United States or of this State, and may alter or change same at pleasure. They shall elect one of their number president of said company, and the president and other directors may appoint such other officers or agents of said company as they may deem necessary, and prescribe their qualifications, duties, and powers, and may require and take of them bonds upon such terms, and with such conditions and surety, as they may deem proper, upon which bonds recoveries may be had by said company for breaches of the conditions thereof. No person shall be elected or serve as a director of said company unless he shall own, in his own right, stock therein.

§ 3. The board of directors of said company may fix the capital stock of same at any amount not exceeding four hundred thousand dollars ($400,000), which shall be divided into shares of one hundred dollars each; and they may open books for subscription for said stock, at such times and places, and subject to such terms and conditions, as they may consider proper; which stock shall be held to be personal estate, and shall pass as such, and shall be issued, sold, and transferred as the by-laws of said company may direct; and whenever one tenth the amount of the capital stock so fixed by said board shall have been subscribed for, the persons named in the first section of this act shall call a meeting of the stockholders, at some convenient time and place, for the election of a board of directors. The said persons named shall be the first board of directors, and

shall hold their office until their successors are elected and qualified, and until then shall have the power to do all things necessary for the organization of said company, including the power to fix the amount of capital stock thereof. The board of directors may cause books for the subscription for capital of said company to be kept open until the whole of same is subscribed for, or they may hold, sell, or dispose of same as they may deem proper.

§ 4. Said company shall have the power to acquire and hold real estate not exceeding in value one hundred and fifty thousand dollars ($150,000), either by the acquisition of the fee simple title thereto or by lease, and shall have the power to sell and convey, or lease the same, as they may deem proper; and may take the fee simple title to real estate, or the lease thereof, for a term of years, or the lease of the mining privileges thereon, in payment of subscription for stock, upon such terms, and at such price, as may be agreed upon; and may acquire and hold any and all personal estate, machinery, apparatus, fixtures, and other things necessary for carrying on and prosecuting the business of mining for silver, lead, iron, coal, salt, oil, or any other mineral or substance whatever, and for manufacturing or preparing same for market, and for conveying same to market; and may carry on said business at any place or places in this Commonwealth, and may acquire the right of way or passway over real estate as a natural person may; and when such right of way shall have been acquired, may construct such roads and ways as may be necessary and proper for carrying on said business. Said company may sell and convey its property, rights, and franchises, or any part thereof, and the purchaser thereof shall take same, subject to all the restrictions prescribed by this act.

§ 5. That there is hereby conferred upon said company the right to mine and remove any and all mineral or other substance (and so much earth, stone, or other material or thing as may be necessary in such mining), under the portions of the bed of the Ohio river herein mentioned and described; that is, all that portion of such bed lying between the Kentucky shore and low-water line of the Illinois shore, and which lies fronting and opposite the river front of each of the following described tracts of land and town lot, viz: One tract, containing one hundred acres, lying in Livingston county, Kentucky, adjoining the town of Carrsville, and fronting on said river about one hundred poles, the same now owned by C. L. Harris; also one town lot, known as lot No. 1, in upper town of Carrsville, in said county, same fronting on said river, and now owned by P. C. Barnett and T. T. Barnett; also one tract containing about one hundred and eighty acres, owned by F. C. Cox & Co., and lying in said county, fronting on said river immediately below the mouth of Deer creek; also one tract lying in Crittenden county, Kentucky, fronting on said river a distance of about two miles, immediately above the mouth of Deer creek, and now owned by P. C. Barnett and Richard Miles. The intention of this section is to convey to said company mining privileges, &c., under those portions of the bed of said river lying between the said shores, and between lines drawn at right angles

with and across said river from the termini of the lines bounding the river front of each of said tracts of land respectively, and of said town lot: *Provided, however*, The said company shall not have the mining privileges, &c., conveyed by this act, until it shall have first obtained the written consent to use the same of the owner or owners of the land on the Kentucky shore fronting and binding on such portion of the bed of said river under which it is desired to obtain mining privileges, &c.; but when such consent shall have been obtained, the rights conferred by this act shall be complete.

§ 6. The said directors are hereby authorized to borrow, for use of said company, money, upon such terms and conditions as they may deem to the interest of said company. They may also issue the bonds of said company (with or without coupons attached), in such amounts, not exceeding two thirds of the paid up capital stock of said company, and of such denominations as they may deem best, and may sell and dispose of same upon such terms and conditions, and for such consideration, as may, in their judgment, be for the interest of said company. Such bonds shall not bear a greater rate of interest than ten per centum per annum. They may secure the payment, principal and interest, of any money borrowed, or of any bonds issued and sold by mortgage, or by deed of trust, conveying all the property, rights, and franchises of the company, conditioned for the prompt payment of such principal and interest as it may become due; and in such deed of trust may authorize and empower one or more trustees to sell and convey the property, rights, and franchises of said company, in accordance with the provisions of such deed of trust, without suit or decree of foreclosure; and such sale and conveyance by such trustee or trustees shall pass to and vest in the purchaser all the right and title of said company in and to the property, rights, and franchises sold; and the purchaser or purchasers shall take and have all the rights, powers, franchises, and privileges conferred by this charter, and shall take same subject to all the obligations and restrictions thereof.

§ 7. The board of directors shall hold their office for and during the period of twelve months, and until their successors are elected and qualified. A second election of directors shall be held at the expiration of twelve months after the first shall have been held, and an election shall be held at the expiration of each twelve months thereafter. The directors shall, before they enter upon the discharge of the duties of their office, take an oath, before some judicial officer of this Commonwealth, that they will faithfully, and to the best of their skill and judgment, discharge all their duties as such.

§ 8. The said board may open and establish offices at any places in this Commonwealth for the transaction of its business, and at which meetings of the board of directors may be held.

§ 9. The said company shall not exercise any banking or other privileges contrary to the laws of this State or of the United States.

§ 10. This act shall take effect from its passage.

Mr. Darby then moved to amend said bill as follows, viz:

Add to section three the following proviso: *Provided*, That said

board shall not issue or dispose of any such stock except upon subscription; and the stock of such company shall be personal property, and pass as such.

Which was adopted.

Ordered, That said bill, as amended, be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Hawes and Campbell, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	William P. Duvall,	J. B. Haydon,
James F. Clay,	W. McKee Fox,	G. A. C. Holt,
Harrison Cockrill,	W. W. Frazer,	John W. Johnson,
Wm. L. Conklin,	John J. Gatewood,	K. F. Prichard,
G. W. Conner,	Jesse C. Gilbert,	E. D. Standeford,
John E. Cooper,	H. S. Hale,	W. L. Vories—20.
F. W. Darby,	Thomas F. Hargis,	

Those who voted in the negative, were—

Robert Boyd,	Edwin Hawes,	A. G. Talbott,
E. P. Campbell,	William Johnson,	Ben. J. Webb—6.

Resolved, That the title of said bill be as aforesaid.

The Senate, according to order, took up for consideration a bill, entitled

A bill to authorize the Mississippi Central Railroad Company to extend their road into and through the State of Kentucky.

Said bill reads as follows, viz:

WHEREAS, The Mississippi Central Railroad Company, a corporation chartered by the joint legislation of Mississippi and Tennessee, is running and operating its road from Canton, Mississippi, as far north as Jackson, Tennessee, with corporate powers to extend said road to any point on the line between Tennessee and Kentucky, looking to a further extension into and through portions of Kentucky; and whereas, said company desires to extend said road, by a main line and branches, to the several points hereinafter designated, with power to connect with other roads; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the said Mississippi Central Railroad Company be, and the same is hereby, declared a body-politic and corporate, with power to sue and be sued, plead and be impleaded; to contract and be contracted with; to have perpetual succession; to make by-laws, and to have, exercise, and enjoy all the rights, powers, privileges, and franchises pertaining to a corporate body in this State, for the purpose of

extension of said road and branches and its connections, as hereinafter declared and authorized.

§ 2. That said company is authorized and empowered to receive and hold, by gift or purchase, from individuals, cities, towns, counties, or corporations, all the necessary right of way, turn-outs, depot grounds, station grounds, and every kind of property, real and personal, necessary or convenient in constructing, equipping, and operating said road and branches; and may receive subscriptions to its capital stock from individuals, cities, towns, counties, and corporations, which stock shall be deemed stock common to the entire road, in and out of the State, and entitle the holders to vote on the same as such. And in the election of directors for the entire road, at least two directors shall be elected who are citizens of Kentucky.

§ 3 That said company is hereby authorized to extend and run said road, by single or double track, from where it may cross the line between Tennessee and Kentucky, on such route as said company may deem best, to either of the following points or places, viz: To a point on the river at the city of Paducah; or may run to a point on the river at the city of Henderson; or may run to a point on the river at or near the mouth of the Ohio; or to any point on the river within two miles of a point on the river opposite to the city of Cairo, in the State of Illinois; or to a point on the Mississippi river at or near the city of Columbus, Kentucky. And said company is hereby authorized to run its main trunk line to either of the points or places above named, on such route as it may prefer, and then may run a branch or branches from the main trunk line from such points and on such routes as said company deem best, to either or all of the other points above named; and said company is authorized, in constructing said road or branches, to lay down a single or double track; to cross other railroads, highways, and water courses, subject only to the general laws of the State regulating railroad and other crossings.

§ 4. That said company may make contracts for connections with other roads, and may make passenger and shipping arrangements with other roads, but as between roads with which connections are made shall not discriminate in favor of one for the purpose of injuring another; and said company may lease or purchase any connecting road, including the chartered rights and franchises.

§ 5. That said company is hereby authorized and empowered, from time to time, to borrow or raise money, by the sale of bonds or otherwise, for the purpose of constructing, maintaining, and operating said road and branches, and may issue, and sell or hypothecate, its corporate bonds or promissory notes, on long or short time, with or without interest coupons attached, bearing interest at any rate not exceeding ten per centum per annum, payable semi-annually at such place or places as the company may direct; and, to secure the same, may mortgage the road and branches and the entire assets and effects of the company, including its capital stock, its chartered rights, and all its powers, privileges, and franchises; or the mortgage or mortgages may be less extensive, and include only a part of the road or branches or effects; and said company is authorized to indorse the bonds or notes of any road running in connection with

the main trunk line, or either of the branches, on such terms and securities as may be agreed upon by the parties. Should said company, by purchase or otherwise, become the owner of property or effects, real or personal, not necessary in constructing, equipping, maintaining, or operating said road and branches, said company may sell or dispose of the same as may be most to its interest.

§ 6. That should said company not be able to contract for the right of way, or for depot grounds, or turn-outs, or station grounds, or for materials necessary in constructing, or equipping, or repairing, or operating said road or branches, because of want of agreement of parties, or if the owner or owners be a *feme convert*, under age, *non compos mentis*, or out of the county in which the property wanted may lie, application may be made to any justice of the peace of said county, who shall thereupon issue his warrant directed to the sheriff or any constable of said county, requiring him to summon twenty discreet men, not related to the owner or in any way interested, to meet on the land or near the property or materials to be valued, on a day named in said warrant, not less than ten days nor more than twenty days after the issuing of the same. And if at the time and place any of said jurors do not attend, said sheriff or constable shall forthwith summon as many jurors as may be necessary with the jurors in attendance; and from them each party, if present, or if not present by agent or attorney, the sheriff or constable for the party absent, may strike off four jurors, and the remaining twelve shall act as the jury of inquest of damages. Before the jury acts, the sheriff or constable shall administer to them an oath or affirmation that they will justly and impartially fix the damage which the owner or owners will sustain by the use and occupation of said property required by said company; and the jury, in estimating the damages, shall find for the owner or owners the actual value of the land or other thing proposed to be taken; but in estimating damages resulting incidentally to the other land or other property of such owners, shall offset the advantages to such residue to be derived from the building and operating said road by, through, or near such residue. The jury shall reduce their verdict to writing, and sign the same, and it shall be returned by the sheriff or constable to the clerk of the circuit court of his county, and such clerk shall receive and file it in the office, and such verdict shall be confirmed by the circuit court at its next regular term, if no sufficient reason is shown, by either party, for setting it aside; and when so confirmed, it shall be recorded by the clerk at the expense of said company. But if set aside, the court shall direct another inquisition to be held by the sheriff of the county in the manner above prescribed: *Provided*, The company may proceed to construct their railroad as soon as the first verdict of the jury shall be returned, whether the same be set aside, and a new jury ordered, or not. And every inquisition shall describe the property taken, or the boundary of the land condemned, and the duration of interest in the same, valued for the company; and such valuation, when tendered or paid to the owner or owners of said property, or to the sheriff of the county in which said inquest is held, when such owner or owners do not reside in such county, shall

entitle said company to the interest in the same thus valued. And the valuation of the same, if not received when tendered, may, at any time thereafter within one year, be received from the company, without costs or interest, by the owners, his, their, or its legal representatives: *Provided*, That land condemned for road-way shall not be more than one hundred feet wide on the main trunk line, and more than eighty feet wide on the branches, unless said company shall file with the justice, at the time of applying for a warrant, an affidavit of one of its engineers, stating that a greater width is necessary, and how much more is required, when the inquisition shall be for the quantity thus stated.

§ 7. That this act shall take effect and be in force from and after its passage.

The amendment heretofore proposed by Mr. Clay is as follows, viz:

Strike out the sixth section of the bill, and insert in lieu thereof the following:

§ 6. That, upon the application of the Mississippi Central Railroad to the county court of any county into or through which it is proposed to construct the said company's road, or any of its branches or buildings, the said court shall appoint three commissioners for said county, two of whom shall be residents of said county, and one an engineer of said company, who shall be sworn faithfully to discharge their duties under this act to the best of their skill and judgment; and if the said company or its agents cannot agree with the proprietors for the right of way, or for land, earth, stone, gravel, or timber, or other material wanted for the construction or repair of said company's road, or any of its branches or extension, side-tracks, depots, or other buildings or works, or if the owners are infants, or idiots, or lunatics, or absent from the county, the said coumissioners, or any two of them, shall hear any proof that may be adduced, and, upon their view, proceed to value the same, and report, in writing, the value they may have affixed, together with the evidence adduced, to the court appointing them. The report shall particularly describe the land or other material valued, and the interest and duration of the interest valued, and amount of damages assessed, and give the names of the owners and place of residence, if known, and whether the owners are infants or *non-sane* persons. Said report may be filed with the clerk of such court, who shall indorse on it the date of filing, and issue summons to the owners to show cause against the confirmation of said report; but if the proprietor shall be out of the county, the summons may be executed on a known agent, if there be one in the county; and if there be no known agent in the county, then the court may order the appearance of the party on a day named, not to be later than the second term after filing said report, and appoint the clerk to give notice, by letter; and if such absent defendant does not appear, the court shall appoint an attorney of the court to act for them; and in case of there being infant proprietors, the court shall appoint guardians *ad litem* to defend, and an attorney for them. It shall be lawful for the company or any owner, or for both, to traverse the report, and for the court to have the case tried

in open court, by a competent jury, on which trial the evidence and report returned as aforesaid shall be heard, together with such other proof as either party may produce. A new trial to the finding of the jury may be granted as in other cases. The commissioners and the jury, in estimating the damages to any proprietor of land or other material sought to be condemned for said company, shall find for the owners the actual value of the land or other material proposed to be taken; but in estimating damages, if any, resulting to other lands or property of such owners, shall offset the advantages to such residue to be derived from the building and operating the said company's road by, through, or near such residue. The report shall stand for hearing at the first term of the court, as to any proprietor on whom summons has been served ten days before court, and as to absent defendants, on or after the day fixed for their appearance in the order of the court; and the court shall have jurisdiction to confirm the report if no traverse is filed; and in case a traverse is filed, to have the same tried by jury, to give judgment upon the report or finding of the jury, and order the payment of the money and the execution of a grant in accordance with the report, and to have the grant executed by a commissioner appointed by the court; and either party may have an appeal or writ of error to the circuit court; but no appeal or writ of error by the proprietor shall stop the said company from proceeding with the construction of the road. That the said company, or its agents, or those contracting with them for the construction or repair of said company's road, or any of its branches, buildings, or works, to immediately take, use, and occupy any land, material, or other property wanted for the purposes aforesaid, they having first caused the property, land, or material wanted to be valued by three commissioners, as hereinbefore prescribed, and paid, or tendered, or deposited with a receiver, to be appointed by the county court, who shall execute bond, with approved security, to pay the money as directed by the court to which the appeal is taken the amount assessed, without awaiting the issue of the proceedings on such report, in case the same may be traversed; and the report of the commissioners, and the payment or tender of the amount assessed, shall be a bar to all actions for taking and using such land or other property.

Which was adopted.

Mr. Holt moved to amend said bill as follows, viz:

Section one, line six, strike out the words "pertaining to a corporate body in this State," and insert in lieu thereof the words "necessary to carry out the right and powers herein granted."

Which was adopted.

Mr. Hawes then moved to amend said bill as follows, viz:

Section five, strike out all after the word "franchises" in the ninth line.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Hawes and Haydon, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	Edwin Hawes,	W. L. Vories—5.
E. P. Campbell,	J. B. Haydon,	

Those who voted in the negative, were—

Robert Boyd,	William P. Duvall,	John W. Johnson,
James F. Clay,	W. McKee Fox,	William Johnson,
Harrison Cockrill,	W. W. Frazer,	K. F. Prichard,
Wm L. Conklin,	Jesse C. Gilbert,	E. D. Standeford,
G. W. Connor,	H. S. Hale,	A. G. Talbott,
John E. Cooper,	Thomas F. Hargis,	Ben. J. Webb—20.
F. W. Darby,	G. A. C. Holt,	

Mr. Holt then moved to amend said bill by adding thereto the following additional section, viz:

The General Assembly reserves the right to alter, amend, or repeal this act whenever it may deem proper.

Which was adopted.

Ordered, That said bill, as amended, be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Haydon and Wm. Johnson, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	F. W. Darby,	Thomas F. Hargis,
Robert Boyd,	Wm. P. Duvall,	G. A. C. Holt,
James F. Clay,	W. McKee Fox,	John W. Johnson,
Harrison Cockrill,	W. W. Frazer,	William Johnson,
Wm. L. Conklin,	John J. Gatewood,	E. D. Standeford,
G. W. Connor,	Jesse C. Gilbert,	A. G. Talbott,
John E. Cooper,	H. S. Hale,	Ben. J. Webb—21.

Those who voted in the negative, were—

E. P. Campbell,	J. B. Haydon,	W. L. Vories—5.
Edwin Hawes,	K. F. Prichard,	

Resolved, That the title of said bill be as aforesaid.

The Senate took up for consideration a bill, which originated in the House of Representatives, entitled

An act for the benefit of the Cleaveland Orphan Asylum.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The Senate also took up for consideration a bill, which originated in the House of Representatives, entitled

An act for the benefit of the Cleaveland Orphan Asylum.

Ordered, That said bill be referred to the Committee on the Judiciary.

On motion of Mr. Boyd, a message was sent to the House of Representatives, asking leave to withdraw the announcement of their disagreement to the passage of a bill, which originated in the House of Representatives, entitled

An act for the benefit of Geo. W. McClure, coroner of Rockcastle county.

After a short time, said bill was handed in at the Clerk's desk.

On motion, the votes by which the Senate had disagreed to the passage of said bill, dispensing with the third reading, and ordering said bill to be read a third time, were reconsidered.

The Senate took up for consideration a resolution, entitled

Resolution in relation to adjournment.

Ordered, That said resolution and proposed amendment be made the special order of the day for Wednesday, 28th inst.

Mr. Cooper, from the Committee on Enrollments, reported that the committee had examined an enrolled bill and a resolution, which originated in the Senate, of the following titles, viz:

An act to change and regulate the time of holding the circuit courts in the first judicial district;

Resolution on the death of Daniel Clark, "Ancient Governor;"

And enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend the charter of the town of Lawrenceburg;

An act for the benefit of Montgomery Lodge, No. 23, of Free and Accepted Masons;

An act for the benefit of Henry county;

An act for the benefit of the heirs of R. M. Biggs, deceased;

An act to amend the first section of an act, entitled "An act to prevent the destruction of fish in Clover creek, in Breckinridge county;"

An act for the benefit of the securities of Robert Hamilton, late sheriff of Perry county;

An act to pay Bullitt county for keeping pauper lunatics;

An act for the benefit of Henry G. Black, of Ballard county;

An act for the benefit of certain turnpike roads in Bath county;

An act to amend the charter of the Alexandria and Flagg Spring Turnpike Road Company;

An act to amend section 20 of article 1, of chapter 91, of the Revised Statutes;

An act to change the time of holding the court of claims in Graves county;

And had found the same truly enrolled.

Said bills and resolution having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Cooper reported that the committee had performed that duty.

Leave was given to bring in the following bills, viz:

On motion of Mr. Cockrill—

1. A bill to amend an act, entitled "An act to amend an act to incorporate the Red River Iron Manufacturing Company," approved February 13, 1872.

On motion of same—

2. A bill to amend the charter of the Irvine and Miller's Creek Turnpike Road and Bridge Company.

On motion of Mr. Boyd—

3. A bill to enable the qualified voters residing within one mile of any college or high school to prohibit, by vote, the selling, vending, or furnishing in any way, except for medical purposes, any spirituous, vinous, or malt liquors within such district.

On motion of same—

4. A bill for the benefit of Dillion Asher, jailer of Josh Bell county.

On motion of Mr. Gilbert—

5. A bill to incorporate the Confederate Relief Society of Paducah and McCracken county.

On motion of Mr. Cooper—

6. A bill to incorporate the Newport and Pound Gap Railroad Company.

On motion of same—

7. A bill to amend section 5 of an act, entitled "An act to incorporate the Licking River Lumber and Mining Company."

On motion of Mr. Darby—

8. A bill for the benefit of Caldwell county.

Ordered, That the Committee on Railroads prepare and bring in the 1st and 6th; the Committee on Internal Improvement the 2d; the Committee on Religion and Morals the 3d and 5th; the Committee on Propositions and Grievances the 4th; the Committee on the Judiciary the 7th, and the Committee on Courts of Justice the 8th.

And then the Senate adjourned.

TUESDAY, FEBRUARY 27, 1872.

A message was received from the House of Representatives, announcing that they had concurred in the amendment proposed by the Senate to a bill, which originated in the House of Representatives, entitled

An act to amend the town charter of New Market, in Marion county.

With an amendment to said amendment.

That they had passed bills, which originated in the Senate, of the following titles, viz:

An act authorizing the trustees of the Baptist Church of Lick creek, in Gallatin county, to sell and convey certain land belonging to said church.

An act for the benefit of school district No. 26, in Nicholas county.

An act in relation to the sale of spirituous liquors in Owsley county.

An act authorizing the trustees of Bardstown to levy a tax for the purpose of purchasing a school-house.

An act to prohibit the sale of spirituous, vinous, or malt liquors in Morgantown, or within one half mile of the corporate limits thereof.

An act amending an act, entitled "An act to incorporate the Female Literary and Benevolent Institution of Nazareth, near Bardstown."

An act to amend an act, entitled "An act to revise the laws relating to the public schools and academy of the city of Newport," approved February 17th, 1860.

An act to incorporate the trustees of the Washington Scientific School, in Mason county.

An act to repeal an act, entitled "An act for the benefit of the common school district No. 8, in Lewis county," approved January 10th, 1872.

An act for the benefit of the Female Seminary of the city of Paducah.

An act for the benefit of the University of the city of Paducah.

An act to incorporate the Franklin Academic Institute.

With an amendment as a substitute for the last named bill.

That they had passed bills of the following titles, viz:

1. An act to establish an additional justices' and constable's district and voting precinct in Ohio county.

2. An act for the benefit of David Wortham, of Graves county.

3. An act submitting to the qualified voters of Josh Bell county the question of prohibiting the sale of spirituous liquors in said county.

4. An act to prohibit the sale of intoxicating liquors in the town of Claysville.

5. An act to amend an act, entitled "An act to prohibit the sale of spirituous liquors in the town of South Carrollton, in Muhlenburg county," approved February 7, 1870.

6. An act to incorporate the Good Templars' Joint Stock Company, of the town of Monterey, in Owen county.

7. An act to prevent the sale of spirituous liquors in Bryantsville district, No. 4, in Garrard county.

8. An act to prohibit the sale of ardent spirits in Morgan county.

9. An act to protect small birds in Bracken county.

10. An act in relation to the sale of spirituous and other liquors in the county of Spencer.

11. An act to prohibit the sale of intoxicating liquors in Pottsville district, in Washington county.

12. An act to prohibit the sale of ardent spirits in Owen county.

13. An act to prohibit the sale of intoxicating liquors in Pulaski county.

14. An act to prevent the sale of spirituous liquors within one mile of East Hickman Baptist Church, in Fayette county.

15. An act to prohibit the sale of spirituous liquors in the town of Antioch, Metcalfe county.

16. An act to repeal an act, entitled "An act to prevent the selling o spirituous, vinous, or malt liquors in Germantown precinct, No. 4, in Clark county."

17. An act allowing the citizens of the incorporated town of Stephensport to vote for or against the sale of spirituous, vinous, or malt liquors in said town.

18. An act to prohibit the sale of intoxicating liquors in and near the town of Spottsville, in Henderson county.

19. An act to amend an act prohibiting the sale of intoxicating drinks in Rockcastle county.

20. An act for the benefit of Gilead Presbyterian Church, in Bath county.

21. An act to establish a system of common schools in the town of Corydon, Henderson county.

22. An act giving the trustees of the common school district in Catlettsburg the right to levy a tax for two years to build a school-house in said district.

23. An act for the benefit of J. M. Forgy, school commissioner of Butler county.

24. An act for the better organization of the public schools in the town of Carrollton, and to establish the common school district of Carrollton, in Carroll county.

25. An act for the benefit of Green V. Holland.

26. An act to organize and establish a system of public schools in the city of Hopkinsville, for white children in said city.

27. An act to charter the Eddyville Male and Female Academy, in Lyon county.

28. An act to amend an act, entitled "An act to cause good school-houses to be erected in the Eighth and Ninth Congressional Districts."

29. An act providing for levying a tax in aid of common schools in Greenup, Boyd, and Carter counties.

30. An act for the benefit of school district No. 16, Fulton county.

31. An act to incorporate the Columbus Male and Female Academy, in Hickman county.

32. An act to amend an act, entitled "An act to establish a graded school at St. James College, in Shelbyville, Shelby county."

33. An act for the benefit of common schools in Kentucky.

34. An act to incorporate Proctor Male and Female Seminary, in Lee county.

35. An act for the benefit of school district No. 38, in Trigg county.

36. An act to provide for the redistricting of the school districts of the county of Campbell.

37. An act for the benefit of school district No. 19, of Hancock county.

38. An act for the benefit of B. L. Carr.

39. An act authorizing the trustees of common school district No. 4, in McCracken county, to levy and collect a tax for the erection of school buildings.

40. An act to establish an institution of learning in the town of Hardinsville, in Shelby county, to be known as the Lee Academy.

41. An act for the benefit of the Fleming County Seminary.

42. An act to repeal an act passed 10th of March, 1854, granting the trustees of the Dover Seminary power to control the public school fund of school district No. 2, in Mason county.

43. An act for the benefit of common school district No. 26, in Ohio county.

44. An act to amend an act, entitled "An act to organize and establish a system of public schools in the city of Owensboro for white children in said city," approved March 13th, 1871.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st, 22d, and 29th to the Committee on the Judiciary; the 2d to the Committee on Finance; the 3d, 4th, 5th, 6th, 7th, 8th, 9th, 10th, 11th, 12th, 13th, 14th, 15th, 16th, 17th, 18th, 19th, and 20th to the Committee on Religion and Morals; the 21st, 23d, 24th, 25th, 26th, 27th, 28th, 30th, 31st, 32d, 33d, 34th, 35th, 36th, 37th, 38th, 39th, 40th, 41st, 42d, 43d, and 44th to the Committee on Education.

Mr. Boyd presented the petition of sundry citizens of Laurel county, praying the passage of an act for the benefit of Wm. G. McCracken, of Laurel county.

Which was received, the reading dispensed with, and referred to the Committee on Propositions and Grievances.

Mr. Talbott, from the Committee on Railroads, reported bills of the following titles, viz:

An act to amend an act, entitled, "An act to incorporate the Bowling Green and Madisonville Railroad Company," approved the 22d day of March, 1871.

An act to amend an act, entitled "An act to amend an act to incorporate the Red River Iron Manufacturing Company," approved February 13, 1872.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

On motion of Mr. Connor, a message was sent to the House of Representatives, asking leave to withdraw the announcement of their disagreement to the passage of bills which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Bourbon Female College.

An act to incorporate the Bourbon Building and Savings Association, of Paris;

After a short time, said bill was handed in at the Clerk's desk.

A message was received from the Governor by Mr. Botts, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to amend an act, entitled "An act for the benefit of the estate of Thos. H. Crawford," approved January 13th, 1872.

An act to amend an act, entitled "An act to establish a criminal court in the 9th judicial district," approved February 5th, 1866, and the several acts amendatory thereof.

An act authorizing the judges of the several courts of this Commonwealth to sign unsigned orders and judgments in said courts.

An act to enable the board of trustees of the town of Harrodsburg to pay and discharge the indebtedness of the town.

A message in writing was received from the Governor by Mr. Botts, Assistant Secretary of State.

Said message was then taken up.

The bill referred to in said message reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the 14th section of the act, entitled "An act to incorporate the Elizabethtown, Lexington, and Big Sandy Railroad Company," approved January 29th, 1869, be amended by adding thereto the following words, viz: The company, after payment or tender of the damages, shall have the right to enter upon, and take, the lands in accordance with the terms of the inquest, without any writ of possession; and in all cases in which the company desires to have the inquest set aside by the circuit court, it may deposit with the sheriff of the county in which the lands sought to be condemned lie the amount of the damages assessed by the jury, who shall hold the same subject to such orders as may be made by the circuit court in reference thereto; and when said deposit shall have been made by the company, it shall have the same right to enter and take said lands as in the case of payment or tender to the land-owner. After receiving the money from the company, it shall be the duty of the sheriff to execute, before the presiding judge of the county court, a covenant for the proper discharge of his duties under this act, with surety or sureties bound therein; and the company shall pay him two per centum on the amount deposited as a compensation for his services.

§ 2. That so much of sections one and four of the act amendatory of the act, entitled "An act to incorporate the Elizabethtown, Lexington, and Big Sandy Railroad Company," approved February 16th, 1870, as requires the county judge of any county through which the said road may run to submit to the voters of said county a proposition to vote a subscription to the capital stock of said company, be so amended as that the county judge shall not be required to submit any such proposition for the subscription of stock at any time while said company may have laborers or operatives employed in said county in constructing or operating said railroad.

§ 3. The county judge, after having submitted the question of subscription of stock to said railroad company, as required and provided in the heretofore cited amendatory act, shall not be so required to submit such question of subscription of stock to the capital stock of said company without further legislation.

§ 4. That in any proposition which may be submitted to the voters of Bath county, under the provisions of an act, entitled "An act to amend an act, entitled 'An act to incorporate the Elizabethtown, Lexington, and Big Sandy Railroad Company,'" the condition shall be inserted: That in lieu of certificates of stock to be issued to the county or the people thereof, as provided in the act to which this is amendatory, the company, upon the payment of the subscription made, shall file with the presiding judge of said county its obligation to accept at par, in payment of charges for transportation of freight and passengers over said road, the tax receipts issued to the citizens of said county for taxes levied and collected to pay said subscription; and no sale or lease of said road shall affect the obligation hereby imposed on said company. But the holders of tax receipts may, at

his or her option, receive therefor certificates of stock, as provided in the act to which this is amendatory.

§ 5. This act to be in force from and after its passage.

The message of the Governor reads as follows, viz:

Gentlemen of the Senate:

The bill, entitled "An act to amend the charter of the Elizabethtown, Lexington, and Big Sandy Railroad Company," contains the following provisions in the first section:

"That the fourteenth section of the act, entitled 'An act to incorporate the Elizabethtown, Lexington, and Big Sandy Railroad Company,' approved 29th January, 1869, be amended by adding thereto the following words, to-wit: The company, after payment or tender of the damages, shall have the right to enter upon and take the lands in accordance with the terms of the inquest, without any writ of possession. And in all cases in which the company desires to have the inquest set aside by the circuit court, it may deposit with the sheriff of the county in which the lands sought to be condemned lie the amount of the damages assessed by the jury, who shall hold the same subject to such orders as may be made by the circuit court in reference thereto; and when said deposit shall have been made by the company, it shall have the same right to enter and take said lands as in the case of payment or tender to the land-owner. After receiving the money from the company, it shall be the duty of the sheriff to execute, before the presiding judge of the county court, a covenant for the proper discharge of his duties under this act, with surety or sureties bound therein; and the company shall pay him two per centum on the amount deposited as a compensation for his services."

The thirteenth and fourteenth sections of the act to which this proposes to be an amendment (see Acts January session, 1869, volume one, pages 221-2-3) provide the way and steps to be taken, through the agency of a warrant from a justice of the peace, a sheriff or constable, a jury and its verdict, by which the company may force away from the citizen, against his will, his land, and vest the company with the right and power to take and use it for its own corporate purposes And it is provided in those sections, that *before the company can so seize and take* the property, the value thereof, and damages as found by the jury, shall be paid or tendered to the owner; and if either party is dissatisfied with the verdict of the jury, such party may file a traverse, and have the inquiry tried again in the circuit court.

The bill under consideration confers upon the company the privilege, upon the rendition of the verdict, of depositing in the hands of the sheriff of the county where the land lies the amount of damages assessed by the jury, and to thereupon take possession of the land, and deprive the owner of its use, or the use of the money to which the jury has decided he is entitled, until the company gets through its lawsuit against him in an effort to lessen the amount of damages that shall be paid to him for thus taking his property. In other

words, the bill clothes the company with the power, upon the finding of the jury in the country (sworn by and presided over by a sheriff or constable), to take the citizen's land out of his possession, and proceed at once to use it for its own purposes, without giving or offering any compensation for it; and no provision is made by which he can get his money till the lawsuit is ended which is already commenced against him by the company; and whether he is to have any interest even then is not provided. The sheriff (perhaps the very officer who selects the jury and presides at the trial) is to receive, as compensation for his services, two per cent. on the amount assessed by the jury for holding and using the same; thus he, too, is made interested in the proceeding against the citizen. Under this bill, and the act to which it is an amendment, the corporation can, at its own chosen season of the year, break through the citizen's inclosures, destroy his orchards, tear down his barns, and take from him the house that shelters his wife and children, thus turning him out of home and possession, with no other guarantee of compensation than that the amount of his damages found by a jury is in the hands of the sheriff of his county, and perhance some of it may be paid to him at the end of a lawsuit with the corporation. The Government has a jealous regard and watchful concern for every citizen in securing to him the possession and enjoyment of his own private property; and it has been wisely provided that no man or set of men are entitled to exclusive privileges from the community but in consideration of public services. The Government, exercising the right of eminent domain in seizing private property for public use, would do so only upon payment of a just compensation to the owner; and always, when it becomes necessary to exercise this high prerogative, a good government will do so with great care, and in a manner to show the tenderest regard for the citizen consistent with the exigencies of the demand.

The uses and purposes for which this bill allows private property to be taken are in one sense public, but they are in an equal (if not greater) sense *purely for the advancement of the interest and fortune of the stockholders of the company.* The Legislature, in delegating this power to a corporation to seize and deprive citizens of their private property, should guard the process by which it is to be done with all the conditions and provisions necessary to the largest convenience and justice to the citizen; *and certainly the corporation ought to pay or offer to pay him for his property before he is deprived of its possession.*

In the seventeenth volume of B. Monroe's Reports, page 190, in the case of Waller, &c., vs. Martin, the identical question was settled by the Supreme Court of the State. The Court there declares that the Legislature has no power to authorize a corporation to take the property of an individual for its own uses without previous compensation.

Regarding this bill as harsh and disregardful of the high and sacred rights of property secured by the organic law of the Commonwealth, I feel constrained to withhold my approval, and with the profoundest respect herewith return the bill with these my objections.

Respectfully,

P. H. LESLIE.

Ordered, That said message be printed, and that the further consideration thereof be postponed to, and made the special order of the day for, Friday, the 1st of March.

The Senate, according to order, took up for consideration a bill, entitled

A bill in relation to the office of Quarter-Master General.

Ordered, That said bill be engrossed and read a third time.

Said bill was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Quarter-Master General's office be, and is hereby, continued upon its present footing, with the same clerical force, and at the same salaries, for the period of two years from and after the 16th day of February, 1872.

§ 2. This act to take effect from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	William P. Duvall,	G. A. C. Holt,
James B. Casey,	W. McKee Fox,	John W. Johnson,
J. Q. Chenoweth,	W. W. Frazer,	Wm. Johnson,
James F. Clay,	John J. Gatewood,	O. D. McManama,
Harrison Cockrill,	Jesse C. Gilbert,	K. F. Prichard,
Wm. L. Conklin,	D. R. Haggard,	E. D. Standeford,
G. W. Connor,	H. S. Hale,	A. G. Talbott,
John E. Cooper,	Thomas F. Hargis,	W. L. Vories,
F. W. Darby,	Edwin Hawes,	Ben. J. Webb,
J. H. Dorman,	J. B. Haydon,	Thos. Wrightson—30.

Those who voted in the negative, were—

Robert Boyd, E. P. Campbell—2.

Resolved, That the title of said bill be as aforesaid.

The Senate, according to order, took up for consideration a bill, entitled

A bill to incorporate the Central Kentucky Inebriate Asylum.

Mr. Talbott then moved to postpone the further consideration of said bill, and that it be made the special order of the day for to-morrow.

Which motion was adopted.

The Senate, according to order, took up for consideration a bill, entitled

A bill for the benefit of the Kentucky River Navigation Company.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the President, Moreau Brown, of Kentucky River Navigation Company, be released from paying any interest on a loan of ten thousand dollars from the Commissioners of the Sinking Fund, upon the condition that the entire sum be paid into the Sinking Fund by the 25th of December, 1872.

§ 2. That the president of said company shall not be required to pay any rental for the use of the Kentucky River Navigation until after September, 1872.

§ 3. This act shall take effect from and after its passage.

Mr. Hawes then moved to lay said bill on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Hawes and Wrightson, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	John E. Cooper,	H. S. Hale,
E. P. Campbell,	Jesse C. Gilbert,	Edwin Hawes—7.
James F. Clay,		

Those who voted in the negative, were—

Robert Boyd,	W. McKee Fox,	A. L. McAfee,
W. H. Chelf,	W. W. Frazer,	Alfred T. Pope,
J. Q. Chenoweth,	John J. Gatewood,	K. F. Prichard,
Harrison Cockrill,	D. R. Haggard,	E. D. Standeford,
Wm. L. Conklin,	Thomas F. Hargis,	A. G. Talbott,
G. W. Connor,	J. B. Haydon,	W. L. Vories,
F. W. Darby,	G. A. C. Holt,	Ben. J. Webb,
J. H. Dorman,	John W. Johnson,	Thos. Wrightson—26.
William P. Duvall,	Wm. Johnson,	

Mr. Haggard then moved that the further consideration of said bill be postponed to, and made the special order of the day for, Thursday, the 29th inst.

Which motion was adopted.

Mr. Gilbert moved to reconsider the vote by which the Senate had, on yesterday, passed a bill, entitled

A bill to authorize the Mississippi Central Railroad Company to extend their road into and through the State of Kentucky.

And the question being taken thereon, it was decided in the affirmative.

The votes dispensing with the third reading of said bill, as also the vote ordering it to be read a third time, were also dispensed with.

[*For bill—see Journal of yesterday.*]

Mr. Gilbert moved to amend said bill as follows, viz:

Strike out all of the sixth section after, and including, the forty-sixth line.

Which was adopted.

Mr. Gilbert moved further to amend said bill as follows, viz:

Strike out the seventh section of the bill.

Which was adopted.

Mr. Holt then moved to amend said bill as follows, viz:

The General Assembly hereby reserves the right to alter, amend, or repeal this act, as provided in an act, entitled "An act reserving power to amend or repeal charters and other laws," approved February 14th, 1856

And the question being taken on the adoption of said amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Holt and Frazer, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	J. H. Dorman,	G. A. C. Holt,
Robert Boyd,	D. R. Haggard,	O. D. McManama,
E. P. Campbell,	Thomas F. Hargis,	Alfred T. Pope,
James B. Casey,	Edwin Hawes,	K. F. Prichard,
G. W. Connor,	J. B. Haydon,	W. L. Vories—15.

Those who voted in the negative, were—

W. H. Chelf,	William P. Duvall,	John W. Johnson,
J. Q. Chenoweth,	W. McKee Fox,	William Johnson,
James F. Clay,	W. W. Frazer,	E. D. Standeford,
Harrison Cockrill,	John J. Gatewood,	A. G. Talbott,
Wm. L. Conklin,	Jesse C. Gilbert,	Ben. J. Webb,
John E. Cooper,	H. S. Hale,	Thos. Wrightson—19.
F. W. Darby,		

Mr. Cooper moved to reconsider the vote by which the Senate had rejected the amendment proposed by Mr. Holt.

Mr. Chenoweth moved to lay said motion on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Chenoweth and Cooper, were as follows, viz:

Those who voted in the affirmative, were—

W. H. Chelf,	F. W. Darby,	William Johnson,
J. Q. Chenoweth,	William P. Duvall,	E. D. Standeford,
James F. Clay,	W. W. Frazer,	A. G. Talbott,
Harrison Cockrill,	Jesse C. Gilbert,	W. L. Vories,
Wm L. Conklin,	H. S. Hale,	Ben. J. Webb—17.
G. W. Connor,	John W. Johnson,	

Those who voted in the negative, were—

John S. Barlow,	John J. Gatewood,	A. L. McAfee,
Robert Boyd,	D. R. Haggard,	O. D. McManama,
E. P. Campbell,	Thomas F. Hargis,	Alfred T. Pope,
James B. Casey,	Edwin Hawes,	K. F. Prichard,
John E. Cooper,	J. B. Haydon,	Thos. Wrightson—17.
W. McKee Fox,	G. A. C. Holt,	

The question was then taken on reconsidering the vote by which the Senate had rejected the amendment proposed by Mr. Holt, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Wrightson and Gilbert, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	W. McKee Fox,	G. A. C. Holt,
Robert Boyd,	John J. Gatewood,	O. D. McManama,
E. P. Campbell,	D. R. Haggard,	Alfred T. Pope,
James B. Casey,	Thomas F. Hargis,	K. F. Prichard,
John E. Cooper,	Edwin Hawes,	Thos. Wrightson—17.
J. H. Dorman,	J. B. Haydon,	

Those who voted in the negative, were—

W. H. Chelf,	F. W. Darby,	William Johnson,
J. Q. Chenoweth,	Wm. P. Duvall,	A. L. McAfee,
James F. Clay,	W. W. Frazer,	E. D. Standeford,
Harrison Cockrill,	Jesse C. Gilbert,	A. G. Talbott,
Wm. L. Conklin,	H. S. Hale,	W. L. Vories,
G. W. Connor,	John W. Johnson,	Ben. J. Webb—18.

Mr. McManama then moved to postpone the further consideration of said bill until to-morrow.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. McManama and Gilbert, were as follows, viz:

Those who voted in the affirmative were—

Robert Boyd,	John E. Cooper,	Edwin Hawes,
E. P. Campbell,	W. McKee Fox,	J. B. Haydon,
James B. Casey,	John J. Gatewood,	O D.McManama,
J. Q. Chenoweth,	D. R. Haggard,	K. F. Prichard,
G. W. Connor,	Thomas F. Hargis,	Thos. Wrightson—15.

Those who voted in the negative, were—

John S. Barlow,	Wm. P. Duvall,	A. L. McAfee,
W. H. Chelf,	W. W. Frazer,	Alfred T. Pope,
James F. Clay,	Jesse C. Gilbert,	E. D. Standeford,
Harrison Cockrill,	H. S. Hale,	A. G. Talbott,
Wm. L. Conklin,	G. A. C. Holt,	W. L. Vories,
F. W. Darby,	John W. Johnson,	Ben. J. Webb—20.
J. H. Dorman,	Wm. Johnson,	

Ordered, That said bill be engrossed and read a third time.

Mr. Clay then moved to dispense with the third reading of said bill.

And the question being taken thereon, it was decided in the negative.

Mr. Standeford then moved that said bill have its third reading to-morrow at half-past ten o'clock.

And the question being taken thereon, it was decided in the affirmative.

The Senate, according to order, took up for consideration a bill, entitled

A bill to amend the charter of the Louisville, Cincinnati, and Lexington Railroad Company.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Louisville, Cincinnati, and Lexington Railroad Company, by virtue of the power and authority heretofore granted to construct branches and extensions of its lines of railroad in this State, be, and is hereby, authorized and empowered to issue additional stock of said company, to an amount not exceeding twenty-five thousand dollars per mile, of any additional railroad acquired or constructed, or in the course of construction, and to issue and sell additional coupon bonds, having not more than thirty years to run, and bearing a rate of interest not exceeding eight per centum per annum, to an extent of not exceeding twenty-five thousand dollars per mile for such roads so acquired or constructed, or in the course of construction, and may secure payment of such bonds by a mortgage lien on such roads so acquired or constructed, and on such other property and franchises of said company as such mortgage lien shall embrace, which shall be a first lien on any extensions or branch roads so constructed, and a first lien on roads so acquired, subject only to such liens as may exist on such roads prior to such acquisitions, but not subject to existing mortgage liens of said company on its present property and franchises.

§ 2. Said company shall have power and authority to sell or dispose of such additional stock so authorized, to the counties through which such extensions or branches shall extend, or to other persons or parties, on such terms and conditions, and at such prices, as they shall agree, and as a majority in interest of all the stockholders in said company shall authorize or approve, and to dispose of, sell, pledge, or hypothecate such bonds so herein authorized, on terms and conditions, in such manner, and at such price, as a majority of the board of directors of said company shall authorize or approve.

§ 3. The provisions in the charter and laws of said company concerning the qualifications of directors therein be, and they are hereby, so amended, as that any person owning and holding ten shares of the capital stock of said company, at the time he shall offer

to qualify, after being duly elected, shall be deemed eligible as directors in said company.

§ 4. This act to take effect from and after its passage.

Mr. Wrightson then proposed to amend said bill as follows, viz:

By adding to the first section the following: *Provided*, That nothing in this act, or the acts to which this is amendatory, shall be construed as giving to said company the right to construct a line of railroad from any point on the line of its present or contemplated branch or branches along the route of the Ohio river, to a point at or near the mouth of the Big Sandy river.

Mr. Talbott then proposed the following as a substitute for the amendment proposed by Mr. Wrightson, viz:

Amend by adding to the first section of the bill the following: *Provided*, That nothing in this act, or the acts to which this is amendatory, shall be so construed as to interfere with the rights, privileges, and franchises heretofore granted to the Kentucky and Great Eastern Railroad Company.

And the question being taken on the adoption of said amendment as a substitute for Mr Wrightson's amendment, it was decided in the affirmative.

Mr. Standeford then proposed to amend the bill as follows, viz:

In section three, line three, after the word "person," insert the following: "a citizen of this State."

Which was adopted.

Mr. Chelf then moved to postpone the further consideration of said bill, and that it be made the special order of the day for to-morrow at eleven o'clock.

And the question being taken thereon, it was decided in the affirmative.

Mr. Casey, from the Committee on Enrollments, reported that the committee had examined an enrolled bill, which originated in the Senate, of the following title, viz:

An act authorizing the trustees of the Baptist Church of East Fork, in Henry county, to sell the church property, and reinvest the proceeds;

And bills which originated in the House of Representatives, of the following titles, viz:

An act to amend an act, entitled "An act exempting salt wagons from paying toll on the Wilderness Turnpike Road, in Knox and Josh Bell counties;"

An act to regulate sales made under decrees of the Metcalfe circuit court;

An act to incorporate the Salt River College;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Casey reported that the committee had performed that duty.

Leave was given to bring in the following bills, viz :

On motion of Mr. Connor—

1. A bill for the benefit of Clinton Bradshaw, of the county of Bourbon.

On motion of Mr. Haggard—

2. A bill to incorporate the Alexander College in the town of Burksville.

On motion of Mr. Chelf—

3. A bill for the benefit of John Moore, jailer of Green county.

On motion of Mr. Clay—

4. A bill to amend an act, entitled "An act to organize the public schools of the city of Henderson."

On motion of same—

5. A bill for the benefit of W. S. Hicks and his sureties, of the county of Henderson.

On motion of same—

6. A bill to increase the jurisdiction of justices of the peace in the counties of Union, Henderson, and Webster.

On motion of same—

7. A bill to incorporate the Diamond Coal and Mining Company.

On motion of Mr. Campbell—

8. A bill to amend the charter of the Children's Home and Polytechnic Academy at the Falls of the Ohio.

On motion of Mr. Dorman—

9. A bill to legalize certain proceedings of the Owen county court.

On motion of Mr. Barlow—

10. A bill to amend the charter of the Glasgow Railroad Company.

Ordered, That the Committee on Courts of Justice prepare and bring in the 1st and 9th; the Committee on Education the 2d, 4th, and 8th; the Committee on Claims the 3d; the Committee on Prop-

ositions and Grievances the 5th; the Committee on Revised Statutes and Codes of Practice the 6th; the Committee on the Judiciary the 7th, and the Committee on Railroads the 10th.

And then the Senate adjourned.

WEDNESDAY, FEBRUARY 28, 1872.

A message was received from the House of Representatives, announcing that they had refused to concur in the amendment proposed by the Senate to a bill, which originated in the House of Representatives, entitled

An act to amend chapter 105 Revised Statutes (weight of coal).

That they had disagreed to a bill, which originated in the Senate, entitled

An act for the benefit of school district No. 35, in Owen county.

That they had passed bills, which originated in the Senate, of the following titles, viz:

An act for the benefit of Thos. A. Ireland, clerk of the Owen county court.

An act for the benefit of the county of Nelson.

An act supplemental to an act, entitled "An act for the benefit o Knox county," approved March 20th, 1871.

An act for the benefit of John M. Thomas, of Grayson county.

An act to provide for the erection of a prison-house for females, and a spinning-walk; to extend the walls of the Penitentiary, and repair the walls and Penitentiary buildings.

An act to incorporate at the town of Walton, in the county of Boone, an Agricultural and Mechanical Association.

An act for the benefit of Harrison Berry, of Nicholas county.

An act to change the time for the election of president and directors of the Christian County Agricultural and Mechanical Association.

An act to amend the charter of the Central Kentucky Stock, Agricultural, and Mechanical Association, in Boyle county.

An act for the benefit of Samuel Ellis and others.

An act for the benefit of Wm. W. Burns, late sheriff of Robertson county, and his sureties.

An act for the benefit of Sulphur Well school district, in Jessamine county.

An act for the protection of sheep in the counties of Nicholas, Gallatin, and Fleming.

That they had passed bills and a resolution of the following titles, viz:

1. An act for the benefit of Jesse K. Howard, school commissioner of Elliott county.

2. An act empowering the trustees of common schools in Campbell county to levy taxes for the purpose of buying lands, building, repairing, and furnishing school-houses.

3. An act to incorporate the Kentucky Agricultural and Mechanical Society at Lexington.

4. An act to incorporate the Anderson, Franklin, and Salvisa Agricultural and Mechanical Association.

5. An act to amend an act for the protection of sheep in this Commonwealth, approved January 31st, 1865.

6. An act to incorporate the Elm Spring Agricultural and Mechanical Association, of Fleming, Mason, and Lewis counties.

7. An act to incorporate the Agricultural and Mechanical Association of Colored People, of Shelby county.

8. An act for the benefit of James Turner, late sheriff of Perry county.

9. An act for the benefit of the sureties of James B. McWhorter, late sheriff of Taylor county.

10. An act for the benefit of Jno. P. Barrett, sheriff of Ohio county, and his securities.

11. An act authorizing the presiding judge of the Breathitt county court to submit to the qualified voters of said county the propriety of imposing an ad valorm and capitation tax for the construction of a bridge across the North Fork of the Kentucky river, near the town of Jackson.

12. An act to transcribe certain surveyors' books of Breathitt county.

13. An act to declare the South Fork of Quicksand creek, and other creeks in Breathitt county, navigable streams.

14. Resolution providing for the purchase of a library for the Kentucky Penitentiary.

Which bills and resolution were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills and resolution being dispensed with, they were referred—the 1st and 2d to the Committee on Education; the 3d, 4th, 5th, 6th, and 7th to the Committee on Agriculture and Manufactures; the 8th, 9th, 10th, and 14th to the Committee on Finance, and the 11th, 12th, and 13th to the Committee on Courts of Justice.

A message was received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz:

An act to continue in force an act, entitled "An act for the benefit of A. W. Nickell, late sheriff of Johnson county, and his securities," approved February 3d, 1871.

An act to amend an act further to define the duties of clerks of circuit, chancery, and county courts of this Commonwealth," approved March 25th, 1871.

An act to amend an act to incorporate the North Middletown Deposit Bank, approved March 15th, 1869.

An act to amend an act, entitled "An act for the benefit of common school districts in Clinton county."

An act to incorporate the Lexington Building and Accumulating Fund Association.

An act to appropriate money for the benefit of the Commissioners of the Kentucky Institution for the Education and Training of Feeble-minded Children.

Resolutions in relation to distilleries and the tax thereon.

The following petitions were presented, viz:

By Mr. Prichard—

1. The petition of the officers and soldiers of the thirty-first regiment of State militia.

By Mr. Barlow—

2. The petition of sundry citizens of Metcalfe county, praying the passage of an act authorizing the jailer of said county to work prisoners confined in said jail upon the public roads until said fines shall be paid.

Which petitions were received, the reading dispensed with, and referred—the 1st to the Committee on Military Affairs, and the 2d to the Committee on the Judiciary.

The Senate, according to order, took up for consideration the amendment proposed by the House of Representatives as a substitute for a bill, which originated in the Senate, entitled

An act to amend an act, entitled "An act to incorporate the Frankfort, Paris, and Big Sandy Railroad Company."

[*For substitute—see Session Acts present session.*]

Mr. Wm. Johnson moved to amend said substitute by adding the following as an additional section, viz:

The estate of widows, infants, and persons of unsound mind, whose net income does not exceed five hundred dollars per annum, shall not be taxed to pay any subscription to the capital stock of said company made by any county, city, town, or district.

Mr. Cockrill then moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The question was then taken on the amendment proposed by Mr. Wm. Johnson, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Wm. Johnson and Talbott, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	D. R. Haggard,	Wm. Johnson,
James B. Casey,	H. S. Hale,	O. D. McManama,
J. Q. Chenoweth,	G. A. C. Holt,	W. L. Vories—10.
Jesse C. Gilbert,		

Those who voted in the negative, were—

Robert Boyd,	John E. Cooper,	John W. Johnson,
R. A. Burton,	F. W. Darby,	Alfred T. Pope,
E. P. Campbell,	J. H. Dorman,	K. F. Prichard,
W. H. Chelf,	Wm. P. Duvall,	E. D. Standeford,
James F. Clay,	W. McKee Fox,	A. G. Talbott,
Harrison Cockrill,	W. W. Frazer,	Ben. J. Webb,
Wm. L. Conklin,	John J. Gatewood,	Emery Whitaker—23.
G. W. Connor,	Thomas F. Hargis,	

Mr. Talbott then moved to reconsider the vote by which the previous question was sustained.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. McManama and Hargis, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	J. Q. Chenoweth,	A. G. Talbott,
Robert Boyd,	Jesse C. Gilbert,	W. L. Vories,
R. A. Burton,	Thomas F. Hargis,	Emery Whitaker
James B. Casey,	O. D. McManama,	Thos. Wrightson—12.

Those who voted in the negative, were—

E. P. Campbell,	J. H. Dorman,	G. A. C. Holt,
W. H. Chelf,	Wm. P. Duvall,	John W. Johnson,
James F. Clay,	W. McKee Fox,	William Johnson,
Harrison Cockrill,	W. W. Frazer,	Alfred T. Pope,
Wm. L. Conklin,	John J. Gatewood,	K. F. Prichard,
G. W. Connor,	D. R. Haggard,	E. D. Standeford,
John E. Cooper,	H. S. Hale,	Ben. J. Webb—22.
F. W. Darby,		

The question was then taken on concurring in the amendment proposed by the House of Representatives as a substitute for the original bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Chenoweth and Standeford, were as follows, viz:

Those who voted in the affirmative, were—

Robert Boyd,	F. W. Darby,	John W. Johnson,
E. P. Campbell,	J. H. Dorman,	Alfred T. Pope,
W. H. Chelf,	William P. Duvall,	K. F. Prichard,
James F. Clay,	W. McKee Fox,	E. D. Standeford,
Harrison Cockrill,	John J. Gatewood,	Ben. J. Webb.
Wm. L. Conklin,	Jesse C. Gilbert,	Emery Whitaker,
G. W. Connor,	D. R. Haggard,	Thos. Wrightson—23.
John E. Cooper,	H. S. Hale,	

Those who voted in the negative, were—

John S. Barlow,	W. W. Frazer,	O. D. McManama,
R. A. Burton,	Thomas F. Hargis,	A. G Talbott,
James B. Casey,	G. A. C. Holt,	W. L. Vories—11.
J. Q. Chenoweth,	William Johnson,	

The Senate, according to order, took up for consideration an engrossed bill, entitled

An act to authorize the Mississippi Central Railroad Company to extend their road into and through the State of Kentucky.

Said bill was read a third time as follows, viz:

[*For bill—see Senate Journal of February 26th*]

The question was then taken on the passage of said bill, and it was decided in the affirmative.

Resolved, That the title of said bill be as aforesaid.

The Senate, according to order, took up for consideration a bill, entitled

A bill to incorporate the Central Kentucky Inebriate Asylum.

On motion of Mr. Talbott,

Ordered, That the further consideration of said bill be postponed until one o'clock, P. M.

The Senate, according to order, took up for consideration a bill, entitled

A bill to amend the charter of the Louisville, Cincinnati, and Lexington Railroad Company.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Louisville, Cincinnati, and Lexington Railroad Company, by virtue of the power and authority heretofore granted to construct branches and extensions of its lines of railroad in this State, be, and is hereby, authorized and empowered to issue additional stock of said company, to an amount not exceeding twenty-five thousand dollars per mile, of any additional railroad acquired or constructed, or in the course of construction, and to issue and sell additional coupon bonds, having not more than thirty years to run, and bearing a rate of interest not exceeding eight per centum per annum, to an extent of not exceeding twenty-five thousand dollars per mile for such roads so acquired or constructed, or in the course of construction, and may secure payment of such bonds by a mortgage lien on such roads so acquired or constructed, and on such other property and franchises of said company as such mortgage lien shall embrace, which shall be a first lien on any extensions or branch roads so constructed, and a first lien on roads so acquired, subject only to such liens as may exist on such roads prior to such acquisitions, but not subject to existing mortgage liens of said company on its present property and franchises.

§ 2. Said company shall have power and authority to sell or dispose of such additional stock so authorized, to the counties through which such extensions or branches shall extend, or to other persons or parties, on such terms and conditions, and at such prices, as they shall agree, and as a majority in interest of all the stockholders in said company shall authorize or approve, and to dispose of, sell, pledge, or hypothecate such bonds so herein authorized, on terms and conditions, in such manner, and at such price, as a majority of the board of directors of said company shall authorize or approve.

§ 3. The provisions in the charter and laws of said company concerning the qualifications of directors therein be, and they are hereby, so amended, as that any person owning and holding ten shares of the capital stock of said company, at the time he shall offer to qualify, after being duly elected, shall be deemed eligible as directors in said company.

§ 4. This act to take effect from and after its passage.

Mr. Vories then moved to amend said bill as follows, viz:

Add to the third section: *Provided*, That no provision of this bill

shall apply to that part of said road from Frankfort, in Franklin county, to Lagrange, in Oldham county.

Pending the consideration of which amendment the hour of one o'clock, P. M., having arrived, its further consideration was cut off by the special order set for that hour.

The Senate, according to order, took up for consideration a bill, entitled

A bill to incorporate the Central Kentucky Inebriate Asylum.

Mr. Cockrill moved that the further consideration of said bill be postponed to, and made the special order of the day for, Friday, the 1st day of March.

Which motion was adopted.

Mr. Casey, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act authorizing the trustees of the Baptist Church of Lick creek, in Gallatin county, to sell and convey certain land belonging to said church;

An act for the benefit of school district No. 26, in Nicholas county;

An act in relation to the sale of spirituous liquors in Owsley county;

An act authorizing the trustees of Bardstown to levy a tax for the purpose of purchasing a school-house;

An act to prohibit the sale of spirituous, vinous, or malt liquors in Morgantown, or within one half mile of the corporate limits thereof;

An act amending an act, entitled "An act to incorporate the Female Literary and Benevolent Institution of Nazareth, near Bardstown;"

An act to amend an act, entitled "An act to revise the laws relating to the public schools and academy of the city of Newport," approved February 17th, 1860;

An act for the benefit of the Female Seminary of the city of Paducah;

An act for the benefit of the University of the city of Paducah;

And enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Danville and Nashville Railroad Company;

An act for the benefit of the Cleaveland Orphan Asylum;

An act for the benefit of John B. Greenwell, of Owen county;

An act to authorize the clerk of the Todd county court to make a cross-index to all the deeds in his office;

An act to authorize J. D. Cumbie to change the direction of the State road running through his land, in Todd county;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Casey reported that the committee had performed that duty.

Leave was given to bring in the following bills, viz:

On motion of Mr. Pope—

1. A bill to incorporate the James Owens Lodge, No. 1, Independent Sons of Honor.

On motion of same—

2. A bill to incorporate the Machinists' and Blacksmiths' Benevolent Society, of Louisville, Kentucky.

On motion of same—

3. A bill to preserve the credit and protect the people of this Commonwealth.

On motion of same—

4. A bill to equalize taxation, and define the duties of assessors.

On motion of Mr. Dorman—

5. A bill to amend the charter of the Carroll, Owen, Gallatin, and Eagle Bridge Company.

Ordered, That the Committee on the Judiciary prepare and bring in the 1st and 2d; the Committee on Finance the 3d and 4th, and the Committee on Internal Improvement the 5th.

At half-past one o'clock, P. M, the Senate resumed the consideration of a bill, entitled

A bill to amend the charter of the Louisville, Cincinnati, and Lexington Railroad Company,

Together with the amendment proposed by Mr. Vories.

Pending the consideration of which, at twenty minutes before two o'clock, Mr. McManama moved that the Senate do now adjourn.

Which motion was adopted.

THURSDAY, FEBRUARY 29, 1872.

A message was received from the House of Representatives, announcing that they had passed a bill, which originated in the Senate, entitled

An act in relation to the office of Quarter-Master General.

That they had passed bills of the following titles, viz:

1. An act to pay military claims reported by the Quarter-Master General.

2. An act to amend the charter of the town of Bowling Green.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st to the Committee on Military Affairs, and the 2d was ordered to be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A message was received from the Governor by Mr. Botts, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills and a resolution, which originated in the Senate, of the following titles, viz:

An act to change and regulate the time of holding the circuit courts in the first judicial district.

An act to authorize the trustees of the Baptist Church of East Fork, in Henry county, to sell the church property and reinvest the proceeds.

Resolution on the death of Daniel Clark, "Ancient Governor."

The following bills were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Conklin, from a select committee—

1. A bill to amend chapter 83 of the Revised Statutes, title "Revenue and Taxation."

By same—

2. A bill to change the time of paying the revenue by sheriffs into the Treasury.

By Mr. Hale, from a select committee—

3. A bill to regulate the charges of the railroads of this Commonwealth.

By Mr. Cockrill, from the Committee on Internal Improvement—

4. A bill to amend the charter of the Irvine and Miller's Creek Turnpike Road and Bridge Company.

By Mr. Gilbert, from the Committee on Courts of Justice—

5. A bill to amend an act, entitled "An act to empower county courts to take stock in turnpike roads in this Commonwealth."

By Mr. Whitaker, from the Committee on Courts of Justice—

6. A bill legalizing certain proceedings of the Owen county court.

By Mr. Darby, from the Committee on Courts of Justice—

7. A bill to amend an act, entitled "An act to amend and reduce into one the several acts in reference to the town of Princeton."

By Mr. McManama, from the Committee on Courts of Justice—

8. A bill to repeal an act, entitled "An act to authorize the marking and defining and establishing the line between the counties of Pendleton and Grant."

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, the 1st, 2d, and 3d were ordered to be printed, and placed in the orders of the day, and the rest were ordered to be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Chelf, from the Committee on Revised Statutes and Codes of Practice, reported a bill, entitled

A bill for the benefit of John Moore, jailer of Green county.

Which bill was read the first time and ordered to be read a second time.

Said bill was read a second time as follows, viz:

WHEREAS, It appears that Joseph Tennison, a confirmed lunatic, has been confined in the county jail of Green county from the 24th day of February, 1871, up to the 24th day of February, 1872; and that said lunatic was ordered to be confined in said jail by order of the Green circuit court, owing to the fact that said lunatic could not be received into any asylum of the State for the want of room; and that James Moore, the jailer of Green county, has faithfully provided for, and taken care of, said lunatic; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts be, and he is hereby, authorized and directed to draw his warrant on the Treasury in favor of said John Moore for the sum of two hundred and seventy-four dollars and fifty cents, to be paid out of any money in the Treasury not otherwise appropriated.

§ 2. This act shall take effect from its passage.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	J. H. Dorman,	Wm. Johnson,
Robert Boyd,	William P. Duvall,	A. L. Martin,
R. A. Burton,	W. W. Frazer,	Alfred T. Pope,
W. H. Chelf,	Jesse C. Gilbert,	K. F. Prichard,
James F. Clay,	D. R. Haggard,	A. G. Talbott,
Harrison Cockrill,	H. S. Hale,	W. L. Vories,
Wm. L. Conklin,	Thomas F. Hargis,	Ben. J. Webb,
G. W. Connor,	J. B. Haydon,	Emery Whitaker,
John E. Cooper,	G. A. C. Holt,	Thos. Wrightson—29.
F. W. Darby,	John W. Johnson,	

In the negative—none.

Resolved, That the title of said bill be as aforesaid.

Mr. McManama, from the Committee on Courts of Justice, reported a bill, entitled

A bill to establish a court of common pleas in the eleventh judicial district.

Which bill was read the first time, and ordered to be read a second time.

Said bill was read a second time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That there is established in all the counties composing the eleventh judicial district a court of justice, which shall be known as the court of common pleas, to be a court of record, held by a single judge, for said district, who shall be elected on the first Monday in August, 1872, and hold his office for the term of six years, and until his successor shall be elected and qualified; and the successor of said judge in every six years thereafter; he shall possess the same qualifications as circuit judges; shall receive the same salary, which shall be paid to him in the same manner as salaries of circuit judges; he shall be a conservator of the peace; be commissioned

and qualified in the same manner as circuit judges are, and shall be subject to impeachment and removal from office in like manner and for like causes; shall have like powers as a circuit judge out of court, and shall have power to appoint examiners for any county in said judicial district, and license attorneys for the State of Kentucky; and vacancies shall be filled in said court in the same manner as they are filled in circuit courts of this Commonwealth; the same practice and the same fees, as far as applicable, shall prevail in said court as in circuit courts; and it shall have a seal bearing its name and the arms of this Commonwealth.

§ 2. The court of common pleas shall have original jurisdiction of all civil business by suits at law or in equity motions, or otherwise, and in all other matters and things of which the circuit courts of this Commonwealth have jurisdiction, except that said court shall not have any criminal or penal jurisdiction; said court shall have the same appellate jurisdiction that the circuit courts of this Commonwealth have in civil actions and traverses of writs of forcible entry and detainer; and bonds to suspend the sale of property under execution or attachment, or distress warrant, or attachment for rent, shall be taken to, and tried in, said court, in the same manner as they are now tried and disposed of in circuit courts.

§ 3. The sheriffs of said district shall perform all the duties in all cases and proceeding in said court which, by law, they would be required to perform in the circuit courts of this State; and the circuit court clerks of each county in said district shall perform for their respective counties the clerical duties of said court, and be entitled to the same fees as they are allowed by law for similar services in circuit courts, collectable in like manner; they shall be responsible on their official bonds for the faithful discharge of their duties herein, in the same manner, and to the same extent, as acts done or omitted to be done in the circuit courts; and their certificates of the records of said court shall have the same force as given by law to their certificates of the records of the circuit court of said district; and the records of said court of common pleas shall have the same force and effect, and shall be evidence in all the courts of this State, in the same manner and to the same extent as records of the circuit courts. And the clerks of the several courts of said district shall, on the second Monday in August, 1872, transfer from the circuit courts of said district all common law business, by suit, motion, or bond to suspend the sale of property taken under execution, attachment, or distress warrant for rent, which shall at that time be pending and undetermined in the circuit courts of said district, to the court of common pleas of said district: *Provided*, That any suit, motion, appeal, or proceedings in the circuit courts of said district, in which a motion for a new trial shall be then pending, shall be exempted from said transfer; and the circuit clerks of the counties comprising said district shall, at the written request of the plaintiff and defendants, or either of them, in any action in equity pending in the circuit courts of said district, transfer any cause or causes pending in the circuit courts of said counties to the court of common pleas of the respective counties of said district, who shall regularly docket the

same for trial, which action, so transferred, shall procure in said court the final trial and judgment, in the same manner as if they had been originally instituted in said court of common pleas. The jailers and coroners of the counties comprising said district shall perform the same duties in the court of common pleas as they are required by law to perform in the circuit courts of this State, and for which they shall receive the same compensation, to be paid in the same manner as they are paid for similar services in the circuit courts. That the provisions of the Revised Statutes, and amendments thereto, regulating the election of *pro tem.* judges of the circuit courts, shall regulate and govern the election and qualifications of *pro tem.* judges of the court of common pleas created by this act.

§ 4. The judge of the court of common pleas shall have the same power to grant and try writs of habeas corpus, mandamus, and writs of prohibition, as circuit courts and circuit judges in this Commonwealth have. The laws regulating the change of venue in civil actions in this Commonwealth shall regulate and govern the change of venue of any civil causes from the court of common pleas provided for in this act; and whenever any action shall be pending in any circuit court of said district, and at the same time an action or actions shall be pending in the court of common pleas of said district affecting the same property; or whenever, for any cause, it shall be made to appear to either the circuit judge or judge of the court of common pleas that there are actions pending in said courts, and that it would be right and proper to have the same consolidated and tried together, it shall be the duty of either of said courts to transfer all such causes to the docket of either the circuit court or court of common pleas, so that all said causes may be heard and tried together in the same court, which shall be done by an order entered upon the order-book of the court making the transfer: *Provided*, That when causes have been transferred from one court to the other, no second order of transfer shall be made, unless with the consent of all the parties to the action. The laws regulating the selecting, summoning, and empanneling of petit jurors in the circuit courts of this State shall regulate the selecting, summoning, and empanneling of jurors in the court of common pleas. That the Code of Practice of this State shall regulate and govern all actions and proceedings in the court of common pleas in the same manner, and to the same extent, as in circuit courts. The court of common pleas shall hold at least two terms in each year in each county of said judicial district, which terms shall be fixed by law.

§ 5. That the sheriffs, jailers, marshals, and constables in the several counties comprising said district, and throughout the State, shall execute all precepts and process, summons, and writs of execution, which to them shall be directed from said court, and return the same to the proper office, and be responsible in like manner as for process, precepts, summons, and writs of execution issued from the circuit courts of this Commonwealth.

§ 6. That the circuit court clerks of each county in said district shall procure a set of record books for said court, such as are used in the circuit courts of this State, in which shall be kept the minutes,

records, and proceedings of said court, which books shall be paid for out of the public treasury in the same manner as record books for circuit courts are now paid for. All the fees to any officer for any service performed in the court of common pleas shall be due and payable, and collectable, under existing laws.

§ 7. This act shall take effect from its passage.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	J. H. Dorman,	A. L. Martin,
R. A. Burton,	Wm. P. Duvall,	A. L. McAfee,
James B. Casey,	W. McKee Fox,	O. D. McManama,
W. H. Chelf,	John J. Gatewood,	Alfred T. Pope,
J. Q. Chenoweth,	Jesse C. Gilbert,	K. F. Prichard,
James F. Clay,	D. R. Haggard,	E. D. Standeford,
John E. Cooper,	John W. Johnson,	A. G. Talbott,
F. W. Darby,	William Johnson,	Ben. J. Webb—24.

Those who voted in the negative, were—

Robert Boyd,	H. S. Hale,	Emery Whitaker,
Wm. L. Conklin,	Thomas F. Hargis,	Thos. Wrightson—8.
W. W. Frazer,	J. B. Haydon,	

Resolved, That the title of said bill be as aforesaid.

Mr. Duvall, from the Committee on Internal Improvement, to whom had been referred a bill, which originated in the House of Representatives, entitled

An act for the benefit of Leesburg,

Asked to be discharged from the further consideration of the same, and that it be referred to the Committee on Revised Statutes and Codes of Practice.

Which was granted.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Webb, from the Committee on Agriculture and Manufactures—

An act to repeal the charter of the Providence Mining, Manufacturing, and Shipping Company.

By Mr. Barlow, from the Committee on Claims—

An act for the benefit of Geo. W. McClure, coroner of Rockcastle county.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Barlow, from the Committee on Claims, to whom had been referred the petition of F. M. Slunker, praying an appropriation for taking care of a pauper idiot,

Asked to be discharged from the further consideration of the same.

Which was granted.

The Senate took up for consideration the disagreement of the House of Representatives to the amendment proposed by the Senate to a bill, which originated in the House of Representatives, entitled

An act to increase the bonded debt of the city of Dayton, in Campbell county.

The question was then taken, "Will the Senate adhere to their amendment?" and it was decided in the affirmative.

The Senate, according to order, took up for consideration a bill, entitled

A bill to lay off the State into ten Congressional Districts.

Mr. Haggard proposed an amendment as a substitute for said bill.

Mr. Cooper moved an amendment to the amendment proposed by Mr. Haggard.

On motion,

Ordered, That said substitute and amendment be printed, and that the further consideration of the bill and pending amendments be postponed to, and made the special order of the day for, Tuesday, the 5th of March.

Mr. Chenoweth, from a joint select committee, reported a bill, entitled

A bill to continue in force an act, entitled "An act to increase the compensation of the Public Printer," approved February 25th, 1865,

Accompanied by the following report, viz:

The Special Joint Committee to whom was referred the matter of regulating the prices appertaining to the office of Public Printer, beg leave most respectfully to submit the following:

To the schedule of prices embraced in the 79th chapter of the Revised Statutes, 33⅓ per cent. was added by an act approved Feb-

ruary 25th, 1865. That act expired by limitation on the 25th of February, 1872. The committee carefully examined the prices paid for public printing by the State, and contrasted the same with the prices paid for similar work by other States of the Federal Union. We find from the reports of State Printers from various States, which were accessible to the committee, that the public printing done and being done for Kentucky is, at a fair average, cheaper than similar work done for other States, except in two or three instances, where the work has been let out after sharp competition. The committee also contrasted the prices paid by the State for printing with the prices current in various printing establishments in different sections of the country, and we are satisfied, from all the information we could gather, that the State pays, on an average, at least thirty per cent. less for her printing than any individual contractor would be compelled to pay for similar work. The committee patiently examined, under solemn oath, experts, who, by many years' experience in the printing business, were enabled to throw much light on the subject. Through the information derived from these experts, we were enlightened as to the price of labor, the per centage of wear and tear of printing material, and the expenses incumbent upon the Public Printer in the discharge of his obligations to the Commonwealth.

Your committee having duly weighed and considered all these things, beg leave to report, as their matured opinion, that if the Public Printer is to receive no additional compensation than that embraced in the list of prices in 79th chapter Revised Statutes, he will be unable, except at a loss of about 13⅓ per cent., to meet the obligations imposed upon him by his contract.

Representing these facts as we find them, the committee recommend the re-enactment of the law, adding to the list of prices paid for public printing 33⅓ per cent.

All of which is respectfully submitted.

J. Q. CHENOWETH,
BEN. J. WEBB,
JOHN A. BELL.

In the main I concur in the foregoing report. My concurrence is based upon my own knowledge of the duties of the Public Printer, and the prices fixed by the statute.

T. WRIGHTSON.

The facts and statements contained in the report signed by Senators Chenoweth and Webb were developed in the investigation had before the Joint Committee, and I suppose the addition of 33⅓ per cent. upon present rate of prices established by law would give no more than a reasonable profit for the work done, and not over the general average paid by other States to their Public Printers. I have no knowledge of this business outside of the facts above detailed in the report, and therefore, supposing the 33⅓ per cent. to be right, I sign this report.

E. A. GRAVES.

PRICES PAID FOR PUBLIC PRINTING.

STATE.	Plain composition per 1000 ems.	Figure work per 1000 ems.	Rule & figure work per 1000 ems.	Presswork per 240 impressions.	Amount of work per annum.	Price paid per week and per 1000 ems.
California	$1 00	$1 50	$2 00	$1 00	$55,000	$27
Georgia	25 per cent.	on cost.		$1 50		$21; 50 cents.
Indiana	$1 00	$1 50	$2 00	70 cents.	38,000	$18; 50 cents.
Iowa	60 cents.	90 cents.	$1 20	50 cents.		$15; 35 cents.
Kansas	85 cents.	$1 28	$1 28	60 cents.	40,000	$20; 45 cents.
Kentucky	50 cents.	75 cents.	$1 00	75 cents.	20,000	$18; 50 cents.
Maine	50 cents.	$1 00	$1 00	$1 00	25,000	$15
Massachusetts	60 cents.	$1 20	$1 20	70 cents.		$15 to $30
Michigan	20 to 48 cents.	67½ cents.	90 cents.	38 to 40 cents.	45,000	$15 to $18
Missouri	Price paid	according to num	ber ordered.		80,000	$20; 45 cents.
New Hampshire	60 cents.	90 cents.	$1 20	$2 00	12,000	$15; 40 cents.
New Jersey	$1 00	$1 00	$2 00	$1 00		$15; 35 cents.
North Carolina	75 cents.		$1 50	75 cents.	25,000	$18; 50 cents.
Ohio	*30 cents.	45 cents.	60 cents.	25 cents.	25,000	$16
Rhode Island	†28 cents.	56 cents.	56 cents.	38 cents.	5,000	$14; 33 cents.
Texas	50 cents, gold.		$1, gold.	$1 00	50,000	$21; 50 cents.
Virginia	70 cents.	$1 40	$1 50	75 cents.	30,000	50 cents.
Wisconsin	60 cents.	90 cents.	$1 20	60 cents.	40,000	35 cents.

* Average rate about 40 per cent. higher.

† For one House only; no price fixed on work for the other.

Said bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion,

Ordered, That said bill and the accompanying report be printed, and that the further consideration thereof be postponed to, and made the special order of the day for, Saturday next.

The Senate resumed the consideration of a bill, entitled

A bill to amend the charter of the Louisville, Cincinnati, and Lexington Railroad Company,

Together with the amendment proposed by Mr. Vories.

[*For bill and amendment—see Journal of yesterday.*]

The question was then taken on the adoption of said amendment, and it was decided in the negative.

Mr. Chelf then moved to amend said bill as follows, viz:

Add to third section: *Provided*, That the interest of the State, to the extent of the stock she now owns in the road, shall continue to be equally identified with that of the other stockholders, and in apportioning the dividends there shall be no estimates on fractional parts of the road, or any of its branches, or any unjust discrimination against the State stock on any new line, or parts of line, that may be constructed or purchased under the provisions of this act.

Which was adopted.

Mr. Vories then moved further to amend said bill by inserting the following as an additional section, viz:

Provided, That the provisions of this act shall not take effect until the company of the Chesapeake and Ohio Railroad Company shall have completed the purchase of the State stock in said Louisville, Cincinnati, and Lexington Railroad.

And the question being taken on the adoption of said amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Haydon and Vories, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	D. R. Haggard,	G. A. C. Holt,
Robert Boyd,	H. S. Hale,	K. F. Prichard,
John E. Cooper,	Thomas F. Hargis,	W. L. Vories,
John J. Gatewood,	J. B. Haydon,	Emery Whitaker—12.

Those who voted in the negative, were—

R. A. Burton,	W. McKee Fox,	A. L. McAfee,
W. H. Chelf,	W. W. Frazer,	Alfred T. Pope,

J. Q. Chenoweth,	Jesse C. Gilbert,	E. D. Standeford,
James F. Clay,	John W. Johnson,	A. G. Talbott,
Wm L. Conklin,	William Johnson,	Ben. J. Webb,
J. H. Dorman,	A L. Martin,	Thos. Wrightson—19.
William P. Duvall,		

Mr. Vories then moved further to amend said bill as follows, viz:

Provided, That no provision of this bill shall authorize said railroad company to remove said road, or any part of same, from Frankfort to Lagrange, but shall run regular trains on same.

And the question being taken upon the adoption of said amendment, it was decided in the negative.

Mr. Vories then proposed further to amend said bill as follows, viz:

Amend by adding the following to section two: *Provided*, That said railroad company shall be liable to any damage or injury which the people may sustain on that part of the road now in operation, and lying between Lagrange and Frankfort, in the event that said road, or any part of it lying between said points, shall be removed or discontinued: *And provided further*, That in the event of such change or removal, it shall be the duty of said company to refund and pay back any individual stock which may have been subscribed originally between Lagrange and Frankfort to said road; and any person interested and living on said line, or having stock therein, shall have the right to maintain an action against said company, under the provisions of this act, in any court of competent jurisdiction, for the purpose of enforcing his or her rights, or redressing the injuries sustained, if any, by reason of the changes that may be made by the company, either in the removal, discontinuance, or operation of said road.

And the question being taken on the adoption of said amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Vories and Wrightson, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	F. W. Darby,	J. B. Haydon,
James B. Casey,	J. H. Dorman,	G. A. C. Holt,
James F. Clay,	John J. Gatewood,	K. F. Prichard,
Wm. L. Conklin,	D. R. Haggard,	W. L. Vories—14.
John E. Cooper,	Thomas F. Hargis,	

Those who voted in the negative, were—

Robert Boyd,	W. McKee Fox,	A. L. McAfee,
R. A. Burton,	W. W. Frazer,	Alfred T. Pope,
W. H. Chelf,	Jesse C. Gilbert,	E. D. Standeford,
J. Q. Chenoweth,	H. S. Hale,	A. G. Talbott,
G. W. Connor,	John W. Johnson,	Ben. J. Webb,
William P. Duvall,	Wm. Johnson,	Thos. Wrightson—18.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Haydon and Vories, were as follows, viz:

Those who voted in the affirmative, were—

R. A. Burton,	William P. Duvall,	A. L. McAfee,
James B. Casey,	W. McKee Fox,	Alfred T. Pope,
W. H. Chelf,	W. W. Frazer,	K. F. Prichard,
J. Q. Chenoweth,	Jesse C. Gilbert,	E. D. Standeford,
Harrison Cockrill,	D. R. Haggard,	A. G. Talbott,
Wm. L. Conklin,	H. S. Hale,	Ben. J. Webb,
G. W. Connor,	John W. Johnson,	Emery Whitaker,
F. W. Darby,	Wm. Johnson,	Thos. Wrightson—25.
J. H. Dorman,		

Those who voted in the negative, were—

John S. Barlow,	John J. Gatewood,	G. A. C. Holt,
James F. Clay,	Thomas F. Hargis,	W. L. Vories—8.
John E. Cooper,	J. B. Haydon,	

Resolved, That the title of said bill be as aforesaid.

Mr. Cooper, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act to amend an act, entitled "An act to incorporate the Frankfort, Paris, and Big Sandy Railroad Company;"

An act toprovide for the erection of a prison-house for females, and a spinning-walk; to extend the walls of the Penitentiary, and repair the walls and Penitentiary buildings;

An act in relation to the office of the Quarter-Master General;

And enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend an act, entitled "An act to incorporate the Mount Sterling and Spencer Creek Turnpike Road Company," approved March 24th, 1861;

An act to amend an act, entitled "An act to prevent justices of the peace in Kenton county from holding inquests in certain cases," approved March 22d, 1871;

An act for the benefit of Solomon Tingle, of Henry county;

An act for the benefit of William Cummins and his sureties;

An act for the benefit of W. B. Stivers, school commissioner of Madison county;

An act to amend section 39 of the city charter of Owensboro;

An act to require the clerk of the Louisville chancery court to make a cross-index to suits and cross-suits in said court, and continue the same;

An act to amend an act, entitled "An act to incorporate the Grand Central Industrial Exposition," approved February 16, 1872;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee, to be presented to the Governor for his approval and signature.

After a short time, Mr. Cooper reported that the committee had performed that duty.

Leave was given to bring in the following bills, viz:

On motion of Mr. Holt—

1. A bill to amend chapter —, article 5, of Revised Statutes.

On motion of same—

2. A bill for the benefit of Calloway and Livingston counties.

On motion of same—

3. A bill for the benefit of the jailer of Livingston county.

On motion of same—

4. A bill to promote public service in Auditor's Office.

On motion of same—

5. A bill to increase the salary of the chief clerk of the Land Office.

On motion of Mr. Standeford—

6. A bill to incorporate the Newburg Railway and Real Estate Company.

On motion of Mr. Hargis—

7. A bill for the benefit of the land-owners and tax-payers of Carter county.

On motion of same—

8. A bill for the benefit of John T. Ratcliffe and Samuel P. Ratcliffe, of the county of Carter.

On motion of Mr. Darby—

9. A bill to incorporate the Princeton, Marion, and Ohio River Railroad Company.

Ordered, That the Committee on Courts of Justice prepare and bring in the 1st, 2d, and 3d; the Committee on Library and Pub-

lic Offices the 4th and 5th; the Committee on Railroads the 6th and 9th; the Committee on the Judiciary the 7th, and the Committee on Finance the 8th.

And then the Senate adjourned.

FRIDAY, MARCH 1, 1872.

A message was received from the House of Representatives, announcing that they had passed bills, which originated in the Senate, of the following titles, viz:

An act to amend the charter of the town of Augusta, in Bracken county.

An act to incorporate the district of Hayfield, in Campbell county.

An act to amend and reduce into one the several acts in relation to the town of Calhoun.

An act to amend and reduce into one the several acts relating to the Preachers' Aid Society of the Louisville Annual Conference of the Methodist Episcopal Church, South.

An act to amend an act, entitled "An act to incorporate the town of Brownsville, in Edmonson county," approved February 15th, 1860.

An act to incorporate the Hopkinsville Coal, Iron Mining, and Manufacturing Company.

An act to incorporate the Mattingly Coal Company.

That they had passed bills of the following titles, viz:

1. An act to lay off the State into ten Congressional Districts.
2. An act for the benefit of the New Liberty Branch Turnpike Road Company, in Owen county.
3. An act to incorporate the First Presbyterian Church of Ludlow, Kenton county.
4. An act to incorporate the Tygart Valley Iron Company.
5. An act to incorporate the Adair Hotel Company.
6. An act to incorporate the Christian Church of Russellville.

7. An act to incorporate the Good Templars' Widow and Orphans' Benefit Association.

8. An act to incorporate the town of Paintsville.

9. An act for the benefit of Joseph Gardner, of Magoffin county.

10. An act to incorporate the Leestown Turnpike Road Company.

11. An act to reduce into one, amend, and digest, the act and amendatory acts incorporating the town of North Middletown, in Bourbon county.

12. An act to amend an act incorporating College Street Presbyterian Church, of Louisville.

13. An act to incorporate the Louisville Stock and Bond Board.

14. An act to amend the charter of the Winchester and Red River Turnpike Road Company.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, the 1st was placed in the orders of the day; the 2d, 4th, 9th, 10th, and 14th were referred to the Committee on Internal Improvement; the 3d, 6th, 7th, and 12th were referred to the Committee on Religion and Morals, and the 5th, 8th, 11th, and 13th were referred to the Committee on the Judiciary.

A message was also received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of the securities of Robert Hamilton, late sheriff of Perry county.

An act for the benefit of Montgomery Lodge, No. 23, of Free and Accepted Masons.

An act for the benefit of the heirs of R. M. Biggs, deceased.

An act to pay Bullitt county for keeping pauper lunatics.

An act for the benefit of certain turnpike roads in Bath county.

An act to amend section 20 of article 1, of chapter 91, of the Revised Statutes.

An act to amend the charter of the town of Lawrenceburg.

An act for the benefit of Henry G. Black, of Ballard county.

An act to amend an act, entitled "An act exempting salt wagons from paying toll on the Wilderness Turnpike Road, in Knox and Josh Bell counties."

An act to regulate sales made under decrees of the Metcalfe circuit court.

An act to change the time of holding the court of claims in Graves county.

An act to amend the first section of an act, entitled "An act to prevent the destruction of fish in Clover creek, in Breckinridge county."

An act for the benefit of Henry county.

An act to amend the charter of the Alexandria and Flagg Spring Turnpike Road Company.

An act to regulate the sale of spirituous liquors in Boyd county.

An act incorporating the Goshen, Oldhamburg, and Sligo Turnpike Road Company.

An act to incorporate the Smith's Grove Deposit Bank.

An act to incorporate the Caseyville Deposit Bank, of Union county.

Mr. Boyd presented the petition of sundry citizens of Rockcastle county, praying the repeal of an act, entitled "An act to change the county line of said county."

Which was received, the reading dispensed with, and referred to the Committee on Propositions and Grievances.

The following bills were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. J. W. Johnson, from the Committee on Education—

1. A bill for the establishment of Male and Female High Schools in the city of Lexington, and for the better organization of common or free popular schools therein.

By Mr. Gatewood, from the Committee on Education—

2. A bill to incorporate the Alexander College, in the town of Burksville.

By Mr. Standeford, from the Committee on Internal Improvement—

3. A bill to amend an act, entitled "An act to amend the charter of the town of Harrodsburg."

By same—

4. A bill to amend the charter of the Carroll, Owen, Gallatin, and Eagle Bridge Company.

By Mr. Cockrill, from the Committee on Internal Improvement—

5. A bill to repeal an act, entitled "An act to incorporate the town of Fitchburg, in Estill county," approved February 26th, 1870.

By Mr. Wm. Johnson, from the Committee on the Judiciary—

6. A bill amending title five of the Civil Code of Practice.

By same—

7. A bill to authorize the Warren county court to submit the question of the adoption of an act amending the law in relation to roads, passed 17th day of February, 1866, to the voters of said county.

By same—

8. A bill to amend the charter of the city of Covington.

By same—

9. A bill concerning the pay of judges *pro tempore* of the several circuit, chancery, criminal, and common pleas courts of this State.

By same—

10. A bill to incorporate the Pendleton Coal, Iron Mining, and Manufacturing Company.

By same—

11. A bill for the benefit of Warren county.

By Mr. Pope, from the Committee on the Judiciary—

12. A bill providing for a settlement with H. I. Todd, late Lessee and Keeper of the Kentucky Penitentiary.

By same—

13. A bill to authorize the reduction of Lock street from High street to the line of the Louisville and Portland Canal.

By same—

14. A bill to provide for the election and compensation of a vice chancellor of the Louisville chancery court, and to define his duties in connection with said court and with the Jefferson court of common pleas, and to provide a room and office for his court.

By Mr. Prichard, from the Committee on the Judiciary—

15. A bill to repeal an act approved March 9th, 1868, entitled "An act to amend an act for the protection of sheep in this Commonwealth."

By same—

16. A bill for the benefit of persons who have entered and surveyed vacant lands in the counties of Lawrence, Carter, Floyd, Pike, Perry, Clay, Josh Bell, Johnson, and Letcher.

By Mr. Hargis, from the Committee on the Judiciary—

17. A bill for the benefit of school district No. 26, in Nicholas county.

By Mr. Clay, from the Committee on the Judiciary—

18. A bill to charter the Diamond Coal and Mining Company.

By Mr. Chelf, from the Committee on Revised Statutes and Codes of Practice—

19. A bill to amend an act, entitled "An act to revise, digest, and compile the statute laws and Codes of Practice of Kentucky," approved March 10th, 1871.

By Mr. Gatewood, from the Committee on Education—

20. A bill to establish a system of public schools for the city of Bowling Green.

By Mr. Chelf, from the Committee on Revised Statutes and Codes of Practice—

21. A bill to amend an act, entitled "An act to prohibit the sale of spirituous, vinous, or malt liquors in the town of Campbellsville, Kentucky."

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, the 19th was ordered to be printed, and made the special order of the day for Monday next, the 4th inst.; the 6th, 9th, 14th, and 20th were ordered to be printed, and placed in the orders of the day, and the rest were ordered to be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Gatewood, from the Committee on Education, to whom had been referred the amendment proposed by the House of Representatives to a bill, which originated in the Senate, entitled

An act to incorporate the Franklin Academic Institute,

Reported the same, with the expression of opinion that said amendment should be concurred in.

And the question being taken thereon, it was decided in the affirmative.

Mr. Wm. Johnson, from the Committee on the Judiciary, to whom had been referred a bill, entitled

A bill for the benefit of Ann E. Stephens, of McCracken county,

Reported the same without amendment.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Hargis, from the Committee on the Judiciary, to whom had been referred a bill, entitled

A bill for the benefit of Zadock Kidd and Harvey Hall, of Powell county,

Reported the same, with the expression of opinion that said bill ought not to pass.

Said bill reads as follows, viz:

WHEREAS, On the 10th day of January, 1872, W. Frank Crawford, common school commissioner for the county of Powell, drew out of the Treasury of the State the sum of two thousand three hundred and twenty-nine dollars and sixty-four cents on accout of common schools taught in the said county of Powell for the year ending 30th June, 1872; and whereas, the said Crawford, immediately after he drew said amount of money as aforesaid, fled to "parts unknown," and has left no property whatever, and has therefore left his securities in his official bond to bear the burden of his defalcation without any source of indemnity; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the sum of seven hundred and two dollars and one cent (being the amount of bonded fund due Powell county) be, and the same is hereby, appropriated to Zadock Kidd and Harvey Hall, as the sureties of said W. Frank Crawford, for the purpose of paying the defalcation of said Crawford, so far as it will go; and the Auditor is hereby directed to draw his warrant on the Treasury, in favor of Zadock Kidd and Harvey Hall, for the said sum of seven hundred and two dollars and one cent, payable out of the bonded fund due said Powell county, and the Treasurer shall pay the same.

§ 2. This act shall take effect from its passage.

Mr. Cockrill moved to amend said bill as follows, viz:

WHEREAS, W. Frank Crawford, common school commissioner of the county of Powell, is a defaulter to the amount of over two thousand dollars, leaving his sureties, Zadock Kidd and Harvey Hall, without remedy; and whereas, the amount of bonded fund due the county of Powell is seven hundred and two dollars; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts be, and he is hereby, directed to draw his warrant on the Treasury for the said sum of seven hundred and two dollars, payable to the present commissioner of common schools of Powell county, out of the bonded fund due said county of Powell, which amount shall be paid out by said commissioner to the teachers of Powell county, for teaching schools therein, for the year ending 30th June, 1872.

§ 2. This act shall take effect from and after its passage.

Which was adopted.

Ordered, That said bill, as amended, be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	F. W. Darby,	A. L. Martin,
Robert Boyd,	J. H. Dorman,	A. L. McAfee,
R. A. Burton,	Wm. P. Duvall,	O. D. McManama,
W. H. Chelf,	W. McKee Fox,	Alfred T. Pope,
J. Q. Chenoweth,	John J. Gatewood,	E. D. Standeford,
James F. Clay,	D. R. Haggard,	A. G. Talbott,
Harrison Cockrill,	Thomas F. Hargis,	W. L. Vories,
Wm. L. Conklin,	J. B. Haydon,	Ben. J. Webb,
G. W. Connor,	G. A. C. Holt,	Emery Whitaker,
John E. Cooper,	John W. Johnson,	Thos. Wrightson—30.

Those who voted in the negative, were—

In the negative, Wm. Johnson—1.

Resolved, That the title of said bill be changed so as to read,

An act for the benefit of the school commissioner of Powell county.

Mr. Hargis, from the Committee on the Judiciary, to whom had been referred the amendment proposed by the House of Representatives to a bill, which originated in the Senate, entitled

An act to authorize the county courts of Nicholas and Bourbon counties to compel persons to keep stock off of public roads,

Reported the same, with the expression of opinion that said amendment should be concurred in.

And the question being taken on concurring in said amendment, it was decided in the affirmative.

Mr. Burton, from the Committee on Finance, to whom had been referred the resolution, which originated in the House of Representatives, entitled

Resolution directing the remains of the late Governor Adair to be reinterred in the Frankfort cemetery, and to erect monuments over the graves of Governors Adair and Breathitt.

Reported the same without amendment.

Said resolution reads as follows, viz:

[*For resolution—see Session Acts present session.*]

The question was then taken on concurring in the resolution, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	J. H. Dorman,	A. L. Martin,
R. A. Burton,	William P. Duvall,	A. L. McAfee,
W. H. Chelf,	John J. Gatewood,	Alfred T. Pope,
J. Q. Chenoweth,	D. R. Haggard,	K. F. Prichard,
James F. Clay,	Thomas F. Hargis,	E. D. Standeford,
Harrison Cockrill,	J. B. Haydon,	A. G. Talbott,
Wm. L. Conklin,	G. A. C. Holt,	W. L. Vories,
G. W. Connor,	John W. Johnson,	Ben. J. Webb,
John E. Cooper,	Wm. Johnson,	Emery Whitaker—28.
F. W. Darby,		

Those who voted in the negative, were—

Robert Boyd,	H. S. Hale,	Thos. Wrightson—3.

Mr. Hale, from the Committee on Finance, to whom was referred the petition of sundry citizens of Boone county, praying the passage of an act for the benefit of W. A. Roberts, late sheriff of said county,

Asked to be discharged from the further consideration of the same.

Which was granted.

Mr. Wm. Johnson, from the Committee on the Judiciary, to whom was referred leave to bring in a bill, entitled

A bill to amend an act, entitled "An act to prohibit the carrying of concealed deadly weapons," approved March 22d, 1871,

Asked to be discharged from the further consideration of the leave.

Which was granted.

Mr. Wm. Johnson, from the Committee on the Judiciary, to whom was also referred leave to bring in a bill, entitled

A bill to repeal an act, entitled "An act to authorize creditors to garnishee before judgment on return of no property," approved March 15th, 1870,

Asked to be discharged from the further consideration of the leave.

Which was granted.

Mr. Hargis, from the Committee on the Judiciary, to whom was referred the petition of sundry citizens of Sugar Ridge district, in Graves county, praying that the same be formed into a school district,

Asked to be discharged from the further consideration of said petition.

Which was granted.

Mr. Martin, from the Committee on Library and Public Buildings and Offices, to whom had been referred the memorial of sundry citizens of Louisville, praying the passage of an act, entitled "An act for the benefit of citizens of Kentucky of African descent and their children,"

Asked to be discharged from the further consideration thereof, and that it be referred to the Committee on Education.

Which was ordered.

Mr. Conklin, from the Committee on Finance, to whom was referred a bill, which originated in the House of Representatives, entitled

An act for the benefit of J. J. Wood, late sheriff of Clinton county, and his sureties,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

WHEREAS, At June term, 1862, a judgment was rendered by the Franklin circuit court against the said J. J. Wood, sheriff of Clinton county, for the collection of revenue in 1861, and Thomas Travis, A. Pierce, J. H. Wood, V. D. Hopkins, and Wm. Perkins, his sureties, for the sum of $1,085 89, and also the sum of $489 78 damages, and the further sum of $9 15 costs, amounting, with interest, on the 14th September, 1869, to the sum of $3,646 77, subject to the credits of $1,172 97; and whereas, it appears that said judgment has been fully paid off and discharged, except the damages aforesaid, by sale of the said J. J. Wood's lands of 111½ acres, for the nominal sum of $235, and the residue of said judgment paid by his said sureties, Thomas Travis and J. H. Wood, with sheriff's commissions; and whereas, said county of Clinton is a border county, and was exposed to the ravages of the war, so that no civil business could be transacted in said county from the summer of 1861, until after the close of the war; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That said sum of $489 78 damages, recovered as aforesaid, against the said J. J. Wood, and his sureties, in said Franklin circuit court, at said June term, 1862, in the name of the Commonwealth of Kentucky, be, and the same is hereby, remitted and discharged in full.

§ 2 That the said sum of $1,085 89, being the amount of interest paid by the said Thomas Travis and J. H. Wood, as sureties aforesaid upon said judgment, be, and the same is hereby, ordered to be refunded to them, the said Thomas Travis and J. H. Wood, to be received by them in proportion to the amount each paid respectively; and for said sum of $1,085 89 the Auditor of Public Accounts will draw his warrant upon the Treasurer, made payable to said Thomas Travis and J. H. Wood, out of any money in the Treasury not otherwise appropriated.

§ 3. This act shall take effect from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	F. W. Darby,	Wm. Johnson,
Robert Boyd,	J. H. Dorman,	A. L. Martin,
R. A. Burton,	William P. Duvall,	A. L. McAfee,
James B. Casey,	W. McKee Fox,	O. D. McManama,
W. H. Chelf,	John J. Gatewood,	Alfred T. Pope,
J. Q. Chenoweth,	D. R. Haggard,	E. D. Standeford,
James F. Clay,	H. S. Hale,	A. G. Talbott,
Harrison Cockrill,	Thomas F. Hargis,	W. L. Vories,
Wm. L. Conklin,	J. B. Haydon,	Ben. J. Webb,
G. W. Connor,	G. A. C. Holt,	Emery Whitaker,
John E. Cooper,	John W. Johnson,	Thos. Wrightson—33.

In the negative—none.

Resolved, That the title of said bill be as aforesaid.

Mr. Cockrill, from the Committee on Finance, to whom was referred a bill, which originated in the House of Representatives, entitled

An act for the benefit of Merrell Hardin,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

WHEREAS, Merrell Hardin, of Garrard county, Kentucky, paid to John L. Slavin, sheriff of said county, on the 6th day of November, 1866, the sum of $4,084 56, being the purchase price for a tract of land sold by said sheriff under an execution from the Franklin circuit court in favor of the Commonwealth against James L. Anderson, defaulting sheriff of said county for the revenue for the year 1865; and said Slavin having paid said amount to the Auditor of Public Accounts less his commission; and whereas, the judgment upon which said execution issued has been reversed by the Court of Appeals, and decided to be absolutely void; and whereas, there are superior and bona fide liens upon said land for an amount exceeding its value, and it is but justice that said Hardin shall have the money refunded him so paid; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts be, and he is hereby, empowered and directed to draw his warrant upon the Treasurer of the State for the sum of $4,084 56 in favor of said Merrell Hardin; and the Treasurer is directed to pay the same out of any funds not otherwise appropriated.

§ 2. This act to take effect from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	F. W. Darby,	John W. Johnson,
Robert Boyd,	J. H. Dorman,	Wm. Johnson,
R. A. Burton,	Wm. P. Duvall,	O. D. McManama,
W. H. Chelf,	W. McKee Fox,	Alfred T. Pope,
J. Q. Chenoweth,	John J. Gatewood,	E. D. Standeford,
James F. Clay,	D. R. Haggard,	A. G. Talbott,
Harrison Cockrill,	H. S. Hale,	W. L. Vories,
Wm. L. Conklin,	Thomas F. Hargis,	Ben. J. Webb,
G. W. Connor,	J. B. Haydon,	Emery Whitaker,
John E. Cooper,	G. A. C. Holt,	Thos. Wrightson—30.

In the negative—none.

Resolved, That the title of said bill be as aforesaid.

The Senate took up for consideration a bill, which originated in the House of Representatives, entitled

An act to amend the charter of the city of Columbus, in Hickman county,

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The Senate took up for consideration a bill, entitled

An act to authorize the Elizabethtown, Lexington, and Big Sandy Railway Company, and Chesapeake and Ohio Railway Company, to bridge the Big Sandy river,

Together with the amendments heretofore proposed.

Ordered, That the further consideration of said bill and proposed amendments be postponed to, and made the special order of the day for, Monday, the 4th inst.

The Senate, according to order, took up for consideration a bill, entitled

A bill to incorporate the Central Kentucky Inebriate Asylum,

Together with the amendment heretofore proposed by Mr. Boyd.

Said bill reads as follows, viz:

§1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That all persons who shall become subscribers, pursuant to this act, shall be, and they are hereby, constituted a body-politic and corporate, by the name and style of the "Central Kentucky Inebriate Asylum."

§ 2. That any person donating the sum of ten dollars to the Asylum hereby incorporated shall be deemed a subscriber and stockholder.

§ 3 That the object of this Institution shall be for the medical treatment, control, and restoration of the inebriate, and for that purpose it shall have power, in its corporate name, to take, purchase, and hold real estate in the county of Boyle, in this State, and erect thereon a building or buildings suitable for the purpose of an Asylum hereinbefore named, and to take, purchase, hold, and convey such personal property as may be necessary to carry out the object of said Asylum, and for no other purpose whatever. Said Asylum shall have power to contract and be contracted with; to sue and be sued; to make and use a common seal, and alter the same at pleasure; to take and hold any grant or devise of land, or any donation or bequest of money or other personal property, to be applied to the founding and maintenance of said Asylum.

§ 4. The fund of said Asylum shall be one hundred thousand dollars, but may be increased to three hundred thousand dollars, at any time the board of trustees may think it compatible with the best interest of the Asylum, and shall be deemed personal property.

§ 5. All the affairs and concerns of said Asylum shall be managed by, and conducted under, the direction of forty trustees, who shall be subscribers and citizens of the State of Kentucky, and who shall be elected by the subscribers, after the present year, annually, on the first Monday in May of each year, by ballot, by a plurality of subscribers present or represented by proxy, each and every subscription of ten dollars having one vote; if, for any cause, said election shall not be so held, the said Asylum shall not be deemed dissolved, but said election shall be held within twelve months thereafter. Notice of the time and place of each election shall be published for two weeks immediately preceding the day appointed therefor, in the State paper, and also in one of the daily papers in the city of Louisville. The said board of trustees, annually, from their own body, and as soon as may be after their election, shall proceed to elect, by ballot, a president and treasurer of said Asylum, who, so long as they shall continue trustees of said Asylum, shall hold their offices, respectively, during the pleasure of the board of trustees; and said trustees shall have the power to fill vacancies in their own body caused by the death, resignation, or removal from the State of Kentucky, or otherwise, of any trustee or trustees, and to make all by-laws not inconsistent with the Constitution and laws of this State, as they may deem proper for the management of the affairs of said Asylum; and shall appoint annually, by ballot, at least thirty days before such election of trustees of said Asylum, three fit and disinterested persons, to be judges of the then next election of trustees, and at any time before the election supply any vacancy which may occur in the office of any such judge. Five of the board of trustees shall constitute a quorum for the transaction of business. All committees, physicians, agents, and officers authorized by this act, or by the by-laws of this Asylum, shall be appointed by the board of trustees, and may be removed for incompetency or other cause, at the discretion of said board.

§ 6. The treasurer, before he shall act as such, shall take an oath for the faithful performance of the duties of his office; and before receiving any money or other means belonging to said Asylum, shall execute bond to the board of trustees, in such sum and with such securities as may be required and approved by said board, for the safe-keeping and disbursement of all money and other means which may be placed in his hands by said board, its agents, or other officers. It shall be unlawful for said treasurer to appropriate any of said money or other means to his own use or to the use of any other person, for any purpose whatever, or to pay out or disburse any of said money or other means in liquidation of any bond, bill, promissory note, open account, or any other character of claim brought against said Asylum, in whole or in part, until the same shall have been first ordered to be paid by the board of trustees, at a regular meeting thereof, and by an order entered upon the books of the secretary and signed by the president; nor until the president shall have indorsed on the back of such claim or claims that the same is correct, and ordered to be paid in conformity with this provision; and for violation of this provision by the treasurer, he and his securities are hereby made liable, on their bond, for the full amount of the sum or sums so unlawfully appropriated, paid out, or disbursed, with ten per cent. damages, recoverable, on proper proof shown, before any court of competent jurisdiction in this Commonwealth.

§ 7. No subscriber to this Asylum shall be liable, in his or her individual capacity, for any contract, debt, or engagement of said Asylum after the full amount of their subscription is paid in.

§ 8. The board of trustees may, at any time hereafter, when, in the opinion of said board, the interests of the Asylum require it, borrow a sum of money, not exceeding ten thousand dollars, at any one time, to procure which they may issue and sell the bonds of the Asylum, with coupons attached, to run not exceeding five years, bearing interest at a rate not exceeding ten per cent. per annum, and redeemable at any time, at the option of said board, after the lapse of one year from their issuance. Said bonds shall be signed by the president of the said board of trustees, and countersigned by the secretary, and shall not be sold for less than their par value; the coupons to be signed by the secretary only. To secure the payment of said bonds at maturity, principal and interest, the purchasers shall have a lien on the Asylum property, which lien may be enforced as other similar liens are now enforced under the laws of this State.

§ 9. Governor P. H. Leslie, John G. Carlisle, John B. Bowman, Stuart Robinson, George R McKee, Emery Whitaker, D. R. Haggard, James Rodman, A. G. Talbott, sr., M. J. Durham, Thomas W. Jackson, J. W. Proctor, A. L. Martin, Z. F. Smith, Wm. S. Pryor, B. G. Peters, H A. M. Henderson, Noah K. Davis, Curtis F. Burnam, C. W. Metcalfe, O. D. McManama, J. R. Hallam, Jos. Doniphan, John W Johnson, I A. Spalding, Chas. T. Worthington, Joseph McDowel, Rev. J. N. Norton, Isaac W. Scott, J. C. S. Blackburn, D. F. Junkin, George B. Kinkead, John Mason Brown, John G. Gatewood, Rev. R. K. Smoot, Robt Rodes, Geo. Poindexter, K. F. Prichard, W. C P. Breckinridge, and E. H. Hopper, shall constitute the first board of

trustees, who shall hold their offices until a new board of trustees shall be elected and qualified, and they shall be commissioners, whose duty it shall be to locate said Asylum within Boyle county, in this State, and to solicit and receive subscriptions to the funds of said Asylum.

§ 10. Said Institution shall have power to receive and retain all inebriates who enter said Asylum, either voluntarily or by the order of the committee of any habitual drunkard. All poor and destitute inebriates who are received into said Asylum shall be employed in some useful occupation in or about the Asylum. Said inebriates shall have all moneys accruing from their labor, after the expenses of their support in said Asylum shall have been paid, which shall be sent to their families monthly. If said inebriates have no families, it shall be paid to him or her on his or her discharge from said Institution.

§ 11. The committee of the person of any habitual drunkard, duly appointed by law, may, in his or their discretion, commit such habitual drunkard to the custody of the trustees or other proper officers of the Asylum, there to remain until he shall be discharged therefrom by such committee.

§ 12. The board of trustees of said Asylum shall make an annual report on the second Wednesday of January in each year, in detail, of their proceedings, income, expenditures, the number of patients admitted, discharged, and remaining in said Institution, verified by the affidavit of the president and treasurer, which report shall be filed in the office of the Secretary of State; and to that end they shall, at all times, in a well-bound book for the purpose, keep a full and complete record of all their acts and doings as a board of trustees, the name of every stockholder and donor, the amount of stock subscribed or donated by each, and the name and residence of every inebriate admitted, and when discharged, with the result of his treatment and stay at said Asylum.

§ 13. The sum of fifty thousand dollars is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to the Central Kentucky Inebriate Asylum, by this act incorporated, to be applied by the board of trustees of said Asylum to procuring the grounds and erecting thereon a building or buildings suitable for the purpose of an Asylum hereinbefore named, and for no other purpose. And the Auditor is hereby directed to issue his warrant on the Treasurer for the payment of the same as soon as he shall be satisfied that a like sum of fifty thousand dollars in money, actually paid in, has been raised by said board of trustees from private individuals, but not before.

§ 14. All moneys subscribed or donated to said Asylum shall be sacredly set apart and applied, by the board of trustees, to the purposes for which they were specifically subscribed or donated, and to no other.

§ 15. This act shall continue in force for fifty years, subject, however, to amendment and repeal by the Legislature; and at the dissolution of said Institution, the Asylum and grounds attached shall be ceded to the State of Kentucky, to be used by said State for some

benevolent institution. And all other assets on hand, if any, in whatever it may consist, or wherever it may be found, shall be sold, and the proceeds thereof divided *pro rata* between the stockholders and donors, to each an amount in proportion to his or her original subscription or donation to said Asylum.

§ 16. The Asylum buildings and grounds attached are hereby exempted from all taxation, State and county.

§ 17. This act shall take effect from its passage.

The amendment proposed by Mr. Boyd is as follows, viz:

Strike out the thirteenth section of the bill.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Talbott and Hargis, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	John E. Cooper,	H. S. Hale,
Robert Boyd,	F. W. Darby,	Thomas F. Hargis,
W. H. Chelf,	J. H. Dorman,	J. B. Haydon,
Harrison Cockrill,	William P. Duvall,	Wm. Johnson,
Wm. L. Conklin,	John J. Gatewood,	E. D. Standeford,
G. W. Connor,	D. R. Haggard,	W. L. Vories—18.

Those who voted in the negative, were—

James B. Casey,	John W. Johnson,	Alfred T. Pope,
J. Q. Chenoweth,	A. L. Martin,	A. G. Talbott,
James F. Clay,	A. L. McAfee,	Emery Whitaker,
W. McKee Fox,	O. D. McManama,	Thos. Wrightson—12.

Mr. Talbott then moved to amend said bill as follows, viz:

Insert the original thirteenth section, first striking out the words "fifty thousand," and inserting in lieu thereof the words "twenty-five thousand." In same original section, strike out in eighth line the word "fifty," and insert in lieu thereof the words "twenty-five."

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Talbott and Haydon, were as follows, viz:

Those who voted in the affirmative, were—

James B. Casey,	John W. Johnson,	A. G. Talbott,
J. Q. Chenoweth,	A. L. Martin,	Ben. J. Webb,
James F. Clay,	A. L. McAfee,	Emery Whitaker,
W. McKee Fox,	O. D. McManama,	Thos. Wrightson—14.
H. S. Hale,	Alfred T. Pope,	

Those who voted in the negative, were—

John S. Barlow,	John E. Cooper,	Thomas F. Hargis,
Robert Boyd,	F. W. Darby,	J. B. Haydon,
W. H. Chelf,	J. H. Dorman,	William Johnson,

Harrison Cockrill,	William P. Duvall,	E. D. Standeford,
Wm L. Conklin,	John J. Gatewood,	W. L. Vories—17.
G. W. Connor,	D. R. Haggard,	

Mr. Wrightson then moved to amend said bill as follows, viz:

Section fifteen, line two, strike out all preceding the word "dissolution," and before the word "dissolution" insert the words "in case of the." Same section, third and fourth lines, strike out the words "shall be ceded to the State of Kentucky, to be used by said State for some benevolent institution."

Which was adopted.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. McManama and Talbott, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	F. W. Darby,	A. L. Martin,
Robert Boyd,	J. H. Dorman,	A. L. McAfee,
James B. Casey,	William P. Duvall,	Alfred T. Pope,
W. H. Chelf,	W. McKee Fox,	E. D. Standeford,
J. Q Chenoweth,	John J. Gatewood,	A. G. Talbott,
James F. Clay,	D. R. Haggard,	W. L. Vories,
Harrison Cockrill,	H. S. Hale,	Ben. J. Webb,
Wm. L. Conklin,	Thomas F. Hargis,	Emery Whitaker,
G. W. Connor,	John W. Johnson,	Thos. Wrightson—29.
John E. Cooper,	Wm. Johnson,	

Those who voted in the negative, were—

J. B. Haydon, O. D. McManama—2.

Resolved, That the title of said bill be as aforesaid.

Leave of indefinite absence was granted to Messrs. Campbell and Gilbert.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. J. W. Johnson, from the Committee on Education—

An act to charter the Eddyville Male and Female Academy, in Lyon county.

By same—

An act to amend an act, entitled "An act to establish a graded school at St. James College, in Shelbyville, Shelby county."

By same—

An act for the benefit of school district No. 16, Fulton county.

By same—

An act for the benefit of school district No. 26, in Ohio county.

By same—

An act to provide for the redistricting of the school districts of the county of Campbell.

By Mr. Gatewood, from the Committee on Education—

An act for the benefit of J. M. Forgy, school commissioner of Butler county.

By same—

An act to amend an act, entitled "An act to cause good school-houses to be erected in the Eighth and Ninth Congressional Districts."

By same—

An act authorizing the trustees of common school district No. 4, in McCracken county, to levy and collect a tax for the erection of school buildings.

By same—

An act for the better organization of the public schools in the town of Carrollton, and to establish the common school district of Carrollton, in Carroll county.

By same—

An act for the benefit of common schools in Kentucky.

By Mr. Conklin, from the Committee on Finance—

An act for the benefit of Jno. P. Barrett, sheriff of Ohio county, and his securities.

By Mr. Hale, from the Committee on Finance—

An act for the benefit of Farish Arnett, of Magoffin county.

By Mr. Wm. Johnson, from the Committee on the Judiciary—

An act for the benefit of Mary W. Livingston, of Rockcastle county.

By same—

An act to amend the charter of the town of Franklin.

By same—

An act giving the trustees of the common school district in Catlettsburg the right to levy a tax for two years to build a school-house in said district.

By same—

An act providing for levying a tax in aid of common schools in Greenup, Boyd, and Carter counties.

By Mr. Clay, from the Committee on the Judiciary—

An act to supply public books for Kenton and Campbell counties.

By Mr. Standeford, from the Committee on Internal Improvement—

An act to amend the charter of the Union and Richwood Turnpike Road Company.

By Mr. Gatewood, from the Committee on Education—

An act to establish a system of common schools in the town of Corydon, Henderson county.

With amendments to the last two named bills.

Which were adopted.

Ordered, That said bills, the last two named as amended, be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Standeford, from the Committee on Internal Improvement, to whom had been referred a bill, which originated in the House of Representatives, entitled

An act to reduce the salary of the gate-keepers on the Wilderness Turnpike Road in Knox and Josh Bell counties,

Reported the same, with an amendment as a substitute therefor.

Which was adopted.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be amended to read,

An act reducing the salary of the toll-gate keepers on the Wilderness Turnpike Road.

Mr. Wm. Johnson, from the Committee on the Judiciary, to whom was referred a bill, which originated in the House of Representatives, entitled

An act to amend and reduce into one the several acts incorporating the town of Blandville, in Ballard county,

Reported the same, with an amendment as a substitute therefor.

Which was adopted.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be amended to read,

An act to amend the charter of the town of Blandville, in Ballard county.

Mr. Wm. Johnson, from the Committee on the Judiciary, to whom was referred a bill, which originated in the House of Representatives, entitled

An act to protect the owners of land, and to prevent certain trespasses, in Logan and Todd counties,

Reported the same, with an amendment as a substitute therefor.

Which was adopted.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be amended to read,

An act to punish certain trespasses in Todd and Logan counties.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Wm. Johnson, from the Committee on the Judiciary—

An act to establish an additional justices' and constable's district and voting precinct in Ohio county;

By same—

An act to provide for orders of injunction in certain cases, and the trial thereof;

By same—

An act to incorporate the German Baptist Bethesda Society;

By Mr. Casey, from the Committee on Finance—

An act for the benefit of Samuel Biggerstaff, of Madison county;

Reported the same, with the expression of opinion that said bills ought not to pass.

And the question being taken on ordering said bills to be read a third time, the opinion of the committee to the contrary notwithstanding, it was decided in the negative.

So said bills were disagreed to.

Mr. McAfee, from the Committee on Privileges and Elections, to whom had been referred a bill, which originated in the House of Representatives, entitled

An act to provide for voting by ballot in the election of Representatives in Congress,

Reported the same without amendment.

Ordered, That the further consideration of said bill be postponed to, and made the special order of the day for, Monday, the 4th inst.

Mr. Wm. Johnson, from the Committee on the Judiciary, to whom had been referred the amendment proposed by the House of Representatives to an amendment proposed by the Senate to a bill, which originated in the House of Representatives, entitled

An act to amend the town charter of New Market, in Marion county,

Reported the same, with the expression of opinion that said amendment should be concurred in.

And the question being taken thereon, it was decided in the affirmative.

Mr. Cooper, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act to repeal an act, entitled "An act for the benefit of the common school district No. 8, in Lewis county," approved January 10th, 1872;

An act for the benefit of Sulphur Well school district, in Jessamine county;

An act to incorporate the trustees of the Washington Scientific School, in Mason county;

An act for the benefit of Wm. W. Burns, late sheriff of Robertson county, and his sureties;

An act for the benefit of Samuel Ellis and others;

An act to amend the charter of the Central Kentucky Stock, Agricultural, and Mechanical Association, in Boyle county;

An act to change the time for the election of president and directors of the Christian County Agricultural and Mechanical Association;

An act for the benefit of John M. Thomas, of Grayson county;

An act supplemental to an act, entitled "An act for the benefit of Knox county," approved March 20th, 1871;

An act for the benefit of Harrison Berry, of Nicholas county;

An act for the benefit of the county of Nelson;

An act for the benefit of Thos. A. Ireland, clerk of the Owen county court;

And enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Paducah and North Ballard Turnpike Road Company;

An act to incorporate the Christian County Bank;

An act to incorporate the Contracting and Building Company, for the purpose of building, and aiding in building, railroads, bridges, and telegraph lines;

An act for the appointment of official reporters, and for the preservation of evidence in certain cases;

An act to incorporate the town of Montgomery, in Trigg county;

An act to amend the charter of the town of Bowling Green;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee, to be presented to the Governor for his approval and signature.

After a short time, Mr. Cooper reported that the committee had performed that duty.

Leave was given to bring in the following bills, viz:

On motion of Mr. Burton—

1. A bill for the benefit of Campbellsville, in Taylor county.

On motion of Mr. Whitaker—

2. A bill to amend the charter of the city of Maysville.

On motion of Mr. Gatewood—

3. A bill to establish a system of public free schools in the city of Bowling Green.

Ordered, That the Committee on Revised Statutes and Codes of Practice prepare and bring in the 1st; the Committee on the Judiciary the 2d, and the Committee on Education the 3d.

And then the Senate adjourned.

SATURDAY, MARCH 2, 1872.

The Speaker resumed the Chair to-day.

A message was received from the House of Representatives, announcing their disagreement to a bill, which originated in the Senate, entitled

An act to amend the charter of the town of Bardstown, in the county of Nelson.

A message was also received from the House of Representatives, announcing that they had passed bills, which originated in the Senate, of the following titles, viz:

An act to amend the charter of the city of Maysville.

An act to amend the charter of the city of Paducah.

An act to amend the charter of the city of Covington.

An act to incorporate the West Liberty and Cross Roads Turnpike Road Company.

With an amendment to the last named bill.

Which was taken up and concurred in.

That they had passed bills of the following titles, viz:

1. An act for the benefit of the Georgetown, Oxford, and Leesburg Turnpike Road Company.

2. An act to incorporate the Bear Creek Navigation, Mining, and Manufacturing Company.

3. An act to repeal an act to amend the charter of the city of Paris, approved March 18th, 1870.

4. An act for the benefit of the New Liberty and Owenton Turnpike Road Company.

5. An act to re-enact an act, entitled "An act to incorporate the Boyd County Navigation, Manufacturing, and Improvement Company," approved February 8th, 1871.

6. An act to re-enact an act, entitled "An act to incorporate the Big Blane Improvement Company," approved January 17th, 1871.

7. An act to incorporate the Richmond Mining Company.

8. An act to amend the charter of the Citizens' Passenger Railroad, of Louisville.

9. An act to amend an act, entitled "An act incorporating the town of Nebo, in Hopkins county."

10. An act to establish the Southern Park Association.

11. An act to incorporate Franklin Lodge, No. 28, F. A. M., in Boyle county.

12. An act to amend the charter of the town of Bardstown, in Nelson county.

13. An act to extend the boundary of the city of Owensboro.

14. An act to incorporate the Broadway Baptist Church, of Louisville.

15. An act to establish the Highland Park Corporation.

16. An act to amend an act, entitled "An act to amend the charter of the Blue Lick Turnpike Road Company," approved February 22d, 1871.

17. An act to incorporate the Falls City Levee and Bridge Company.

18. An act for the benefit of the Chilesburg and Clintonville Turnpike Road Company.

19. An act to incorporate the St. Louis Cemetery, near Louisville.

20. An act to amend an act, entitled "An act to incorporate the town of Corydon, in the county of Henderson," approved February 15th, 1868.

21. An act to incorporate the Boone Bridge Company.

22. An act to incorporate the White Stone Quarry Company.

23. An act to incorporate the Louisville Iron and Steel Rail Company.

24. An act to change the corporate limits of the town of Springfield, in Washington county.

25. An act to charter Brother's Lodge, No. 132, of the Independent Order of Odd Fellows, in the city of Owensboro.

26. An act to incorporate Jefferson Manufacturing and Mining Company.

27. An act to amend an act, entitled "An act to incorporate the town of Morses, in Graves county," approved March 21st, 1871.

28. An act to incorporate the Falls City Association for the Improvement of the Breeds of Stock.

29. An act to incorporate the Colored Methodist Episcopal Church in America.

30. An act incorporating the Jefferson, Oldham, Hall's Landing, and Westport Turnpike Company.

31. An act to incorporate the Church House for Females and Infirmary for the Sick.

32. An act to incorporate the Newbergh Railway and Real Estate Company.

33. An act to prohibit the floating or running logs, wood, or other lumber down the Licking river without rafting the same.

34. An act to incorporate the St. Augustin Cemetery, near Lebanon, in Marion county.

35. An act to provide for the submission to the voters of Ballard county the question of the annexation of a part of Ballard to Hickman county.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st, 4th, 16th, 18th, 21st, 22d, and 30th to the Committee on Internal Improvement; the 2d, 7th, 26th, and 28th to the Committee on Agriculture and Manufactures; the 3d, 5th, 6th, 9th, 12th, 13th, 15th, 19th, 20th, 23d, 24th, 33d, 34th, and 35th to the Committee on the Judiciary; the 8th and 32d to the Committee on Railroads; the 10th, 11th, 25th, and 27th to the Committee on Revised Statutes and Codes of Practice; the 14th, 29th, and 31st to the Committee on Religion and Morals, and the 17th was ordered to be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Cooper presented the petition of sundry citizens of Morgan county, asking that a portion of the territory of Wolfe county be added to Morgan county.

Which was received, the reading dispensed with, and referred to the Committee on Propositions and Grievances.

On motion of Mr. Conklin, Mr. Vories was added to the Committee on Finance.

Mr. Cockrill moved to reconsider the vote by which the Senate had, on yesterday, disagreed to the passage of a bill, which originated in the House of Representatives, entitled

An act for the benefit of Samuel Biggerstaff, of Madison county.

Which was reconsidered.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

Resolved, That the title of said bill be as aforesaid.

Mr. Whitaker, from the Committee on Banks and Insurance, asked to be discharged from the further consideration of a leave to bring in a bill, entitled

A bill to incorporate the Protective Association of Kentucky.

Which was granted.

Mr. Whitaker, from the Committee on Banks and Insurance, to whom was referred a resolution, which originated in the House of Representatives, entitled,

Resolution asking for information in regard to certain insurance companies,

Reported the same, with the expression of opinion that said resolution should be concurred in.

And the question being taken on concurring in said resolution, it was decided in the affirmative.

The following bills were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Pope, from the Committee on Banks and Insurance—

1. A bill to incorporate the Bank of Commerce.

By same—

2. A bill to incorporate the Shippers' Tobacco Bank.

By same—

3. A bill to incorporate the Greensburg Deposit Bank.

By Mr. Whitaker, from the Committee on Banks and Insurance—

4. A bill to incorporate the Uniontown Deposit Bank.

By same—

5. A bill to amend an act, entitled "An act to incorporate the German Bank and Insurance Company," approved March 10th, 1869.

By same—

6. A bill to incorporate the Maysville Building and Savings Association.

By same—

7. A bill for the benefit of the Bank of Ashland.

By Mr. Chenoweth, from the Committee on Railroads—

8. A bill to amend the charter of the Elizabethtown, Lexington, and Big Sandy Railroad Company.

By Mr. Haggard, from the Committee on Propositions and Grievances—

9. A bill for the benefit of Levi Jackson, presiding judge of the Laurel county court.

By same—

10. A bill to amend the charter of the city of Henderson.

By same—

11. A bill repealing an act, entitled "An act to prevent the destruction of fish in Cumberland river above the falls."

By same—

12. A bill for the benefit of Dillon Asher, of Josh Bell county.

By same—

13. A bill for the benefit of W. S. Hicks, sheriff of Henderson county, and his sureties.

By Mr. Chenoweth, from the Committee on Railroads—

14. A bill to incorporate the Louisville and Brownsboro Railway Company.

By same—

15. A bill to amend an act, entitled "An act to incorporate the Kentucky and Tennessee Railroad Company," approved February 22d, 1871.

By same—

16. A bill to amend and explain an act, entitled "An act to incorporate the Frankfort, Paris, and Big Sandy Railroad Company."

By Mr. Haggard, from the Committee on Propositions and Grievances—

17. A bill for the benefit of Polk Ditto, sheriff of Henry county.

By Mr. Chelf, from the Committee on Revised Statutes and Codes of Practice—

18. A bill for the benefit of Lee county.

By same—

19. A bill to amend the charter of Leesburg.

By same—

20. A bill for the benefit of the county judge of Henry county.

By same—

21. A bill to incorporate the Lee County Lumber, Mining, and Manufacturing Company.

By Mr. Cooper, from the Committee on Revised Statutes and Codes of Practice—

22. A bill to incorporate the town of Beattyville, in Lee county.

By same—

23. A bill allowing David Pryse, Z. T. Martin, and James M. Beatty to construct wharves at their respective landings at Beattyville.

By Mr. Dorman, from the Committee on Religion and Morals—

24. A bill to prohibit the granting of license to sell wine or spirituous liquors in or near the town of Benton, in Marshall county.

By same—

25. A bill to prohibit the sale of spirituous, vinous, or malt liquors within half a mile of Mt. Gilead and Macedonia Churches, near Allensville, in Todd county.

By Mr. John W. Johnson, from the Committee on Religion and Morals—

26. A bill to amend the charter of Fitchburg, in Estill county.

By Mr. Whitaker, from the Committee on Courts of Justice—

27. A bill for the benefit of James Rhea Boyd.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, the 14th was ordered to be printed, and placed in the orders of the day, and the rest were ordered to be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

On motion, leave of indefinite absence was granted Mr. Frazer.

The Senate, according to order, took up for consideration a bill, entitled

A bill to continue in force an act, entitled "An act to increase the compensation to the Public Printer," approved February 25th, 1865.

Said bill reads as follows, viz:

§1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That section one of an act, entitled "An act to increase the compensation to the Public Printer," approved February 25, 1865, be, and the same is hereby, continued in force from and after the 25th day of February, 1872.

§2. This act to take effect from its passage.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	J. H. Dorman,	Wm. Johnson,
W. H. Chelf,	William P. Duvall,	A. L. McAfee,
J. Q. Chenoweth,	D. R. Haggard,	Alfred T. Pope,
Harrison Cockrill,	H. S. Hale,	A. G. Talbott,
Wm. L. Conklin,	Thomas F. Hargis,	W. L. Vories,
G. W. Connor,	G. A. C. Holt,	Ben. J. Webb,
John E. Cooper,	John W. Johnson,	Emery Whitaker—22.
F. W. Darby,		

Those who voted in the negative, were—

Edwin Hawes, J. B. Haydon—2.

Resolved, That the title of said bill be as aforesaid.

A message in writing was received from the Governor by Mr Botts, Assistant Secretary of State.

Said message was taken up and read as follows, viz:

STATE OF KENTUCKY, EXECUTIVE DEPARTMENT,
FRANKFORT, March 2d, 1872.

Gentlemen of the Senate:

I hereby nominate for your advice and consent the following persons as suitable to be commissioned as notaries public, viz:

B. H. Lindenberger, Jefferson county.
J. L. Denforth, Jefferson county.
W. F. Barret, Jefferson county.
James A. Anderson, Garrard county.
J. L. Robinson, Henderson county.
Geo. B. Kinkead, Fayette county.
Wm. Beard, Hart county, for Barren, Hart, Green, and Metcalfe.
Greenville M. Wittin, Floyd county.
Ferdinand C. Hocker, Floyd county.
Joseph M. Davidson, Floyd county.
Lewis W. Newberry, Martin county.
W. S. Ellis, Kenton county.
Thos. J. Barker, Spencer county.

Respectfully,
P. H. LESLIE.

Resolved, That the Senate advise and consent to said appointments.

Mr. McAfee, from the Committee on Privileges and Elections, to whom had been referred the memorial of the American Women Suffrage Association,

Asked to be discharged from the further consideration of the same.

And the question being taken thereon, it was decided in the negative.

The Senate took up for consideration bills of the following titles, viz:

An act to incorporate the Bourbon Building and Savings Association, of Paris.

An act to incorporate the Bourbon Female College.

Mr. Connor then moved to reconsider the vote by which said bills had been disagreed to.

And the question being taken thereon, it was decided in the affirmative.

The vote dispensing with the third reading of said bills, as also that ordering them to be read a third time, were also reconsidered.

Ordered, That the first be referred to the Committee on Banks and Insurance, and the 2d to the Committee on the Judiciary.

The Senate took up for consideration a bill, entitled

A bill to further provide for the completion of the unfinished apartments in the building known as the Fire-proof Offices in the city of Frankfort.

Ordered, That the further consideration of said bill be postponed to, and made the special order of the day for, Tuesday next, the 5th inst.

Mr. Chenoweth, from the Committee on Railroads, reported a bill, entitled

A bill to incorporate the Ohio Valley Railroad Company.

Which bill was read the first time, and ordered to be read a second time.

Said bill was read a second time as follows, viz:

[*For bill—see Session Acts present session.*]

Mr. Hawes then moved to amend said bill as follows, viz:

In section fifteen, line eight, strike out the word "shall," and insert the word "may." In section eighteen, line three, strike out the word "shall," and insert the word "may." In section nineteen, line seven, strike out the word "shall," and insert the word "may."

And the question being taken on the adoption of said amendments, it was decided in the affirmative

The yeas and nays being required thereon by Messrs. Hawes and Webb, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	D. R. Haggard,	Wm. Johnson,
J. Q. Chenoweth,	H. S. Hale,	Alfred T. Pope,
Harrison Cockrill,	Thomas F. Hargis,	W. L Vories,
J. H. Dorman,	Edwin Hawes,	Ben. J. Webb,
John J. Gatewood,	John W. Johnson,	Emery Whitaker—15.

Those who voted in the negative, were—

W. H. Chelf,	Wm. L. Conklin,	John E. Cooper,
James F. Clay,	G. W. Connor,	F. W. Darby—6.

Ordered, That said bill, as amended, be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Cooper, from the Committee on Propositions and Grievances, reported a bill, entitled

A bill to allow jailers compensation for keeping pauper lunatics in the jails of this Commonwealth.

Which bill was read the first time and ordered to be read a second time.

Said bill was read a second time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That hereafter the jailers in this Commonwealth shall, for the keeping and dieting of pauper lunatics, be entitled to seventy-five cents per day; and said jailers shall make out a full statement of the time such pauper lunatic has been confined in the jail; and the claim so made out shall be proven in the same manner as claims are now required by law to be proven for the keeping of persons charged with felonies; and the said claims shall be allowed and approved in the same manner, by the circuit court judges in the counties in which the lunatic is confined, as is now provided by law for the allowance and approval of other claims against the Commonwealth, and certified by the clerk of the circuit court to the Auditor of Public Accounts for payment in the same manner as he is now required by law to certify claims against the Commonwealth.

§ 2. That no claim or claims shall be allowed or paid under the provisions of this act unless the person or persons shall have been found to be a pauper lunatic by a jury of the county.

§ 3. This act shall take effect and be in force from its passage.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	J. H. Dorman,	John W. Johnson,
W. H. Chelf,	Wm. P. Duvall,	Wm. Johnson,

J. Q. Chenoweth,	John J. Gatewood,	A. L. Martin,
James F. Clay,	D. R. Haggard,	Alfred T. Pope,
Wm. L. Conklin,	H. S. Hale,	K. F. Prichard,
G. W. Connor,	Edwin Hawes,	A. G. Talbott,
John E. Cooper,	J. B. Haydon,	W. L. Vories,
F. W. Darby,	G. A. C. Holt,	Ben. J. Webb—24.

In the negative—none.

Resolved, That the title of said bill be as aforesaid.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Haggard, from the Committee on Propositions and Grievances—

1. An act to authorize Lorenzo Dow Clark, sr., to erect a mill-dam across Big Mud creek, in Floyd county.

By same—

2. An act for the benefit of George W. Brown, of Letcher county.

By same—

3. An act to amend an act, entitled "An act to protect small game in Lewis county, and to amend the amendments thereto."

By same—

4. An act to prohibit the drawing of seines or fish-nets from the mouth of Paint Lick creek to the mouth of Back creek.

By same—

5. An act to prevent the destruction of fish in Cumberland and Tennessee rivers, and their tributaries.

By Mr. Chelf, from the Committee on Revised Statutes and Codes of Practice—

6. An act to define the meaning of the word "creditor," as used in the Revised Statutes and Civil Code of Practice, and in the acts amendatory thereof.

By Mr. Cockrill, from the Committee on Internal Improvement—

7. An act to amend an act, entitled "An act for the benefit of the citizens of Jackson county, in relation to the Wilderness Turnpike Road."

By Mr. John W. Johnson, from the Committee on Religion and Morals—

8. An act for the benefit of Gilead Presbyterian Church, in Bath county.

By same—

9. An act to prevent the sale of spirituous liquors within one mile of East Hickman Baptist Church, in Fayette county.

By same—

10. An act relating to the sale of ardent spirits in Carter county.

By same—

11. An act to prohibit the sale of ardent spirits in the first and fifth magisterial districts of Todd county.

By same—

12. An act to prohibit the sale of intoxicating liquors in and near the town of Spottsville, in Henderson county.

By Mr. Dorman, from the Committee on Religion and Morals—

13. An act to amend an act prohibiting the sale of intoxicating drink in Rockcastle county.

By Mr. Hawes, from the Committee on Religion and Morals—

14. An act to prohibit the sale of spirituous liquors at retail in the Peak's Mill voting precinct, in Franklin county.

By same—

15. An act to amend an act in relation to the sale of spirituous liquors in Letcher county, approved March 21st, 1870.

By same—

16. An act to prohibit the sale of ardent spirits in Morgan county.

By Mr. John W. Johnson, from the Committee on Religion and Morals—

17. An act to amend an act incorporating College Street Presbyterian Church, of Louisville.

By Mr. Whitaker, from the Committee on Banks and Insurance—

18. An act to incorporate the Commercial Bank of Lebanon.

By Mr. Haggard, from the Committee on Propositions and Grievances—

19. An act to prevent the destruction of fish in Little Kentucky river, in Carroll and Trimble counties.

By Mr. John W. Johnson, from the Committee on Religion and Morals—

20. An act to prevent the sale of spirituous liquors in Bryantsville district, No. 4, in Garrard county.

By same—

21. An act to prohibit the sale of spirituous liquors in the town of Antioch, Metcalfe county.

By same—

22. An act to prohibit the granting of license to retail spirituous, vinous, or malt liquors in the county of Crittenden.

By Mr. Hawes, from the Committee on Religion and Morals—

23. An act to prohibit the sale of spirituous, &c., liquors in Garrard county.

With amendments to the last six named bills.

Which were adopted.

Ordered, That said bills, the last six named as amended, be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills, the last six named as amended, do pass, and that the titles thereof be as aforesaid, except the 19th, and that the title thereof be amended so as to read,

An act to prevent the destruction of fish in Little Kentucky river, and other streams in Carroll and Trimble counties.

Mr. John W. Johnson, from the Committee on Religion and Morals, to whom had been referred a bill, which originated in the House of Representatives, entitled

An act allowing the citizens of the incorporated town of Stephensport to vote for or against the sale of spirituous, vinous, or malt liquors in said town,

Reported the same with an amendment.

Which was rejected.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. J. W. Johnson, from the Committee on Religion and Morals, to whom had been referred a bill, which originated in the House of Representatives, entitled

An act to protect small birds in Bracken county,

Reported the same with an amendment.

Which was adopted.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was then taken on the passage of said bill, and it was decided in the negative.

So said bill was disagreed to.

Mr. Dorman, from the Committee on Religion and Morals, to whom had been referred bills, which originated in the House of Representatives, of the following titles, viz:

An act to prohibit the sale of ardent spirits in Owen county;

An act to prevent the sale of spirituous liquors in Warren county;

Reported the same, with the expression of opinion that said bills ought not to pass.

And the question being taken on ordering said bills to be read a third time, the opinion of the committee to the contrary notwithstanding, it was decided in the negative.

So said bills were disagreed to.

Mr. J. W. Johnson, from the Committee on Religion and Morals, to whom had been referred the amendment proposed by the House of Representatives to a bill, which originated in the Senate, entitled

An act to prohibit the sale of spirituous, vinous, or malt liquors in a certain portion of the Bridgeport election precinct,

Reported the same, with the expression of opinion that said amendment should be concurred in.

And the question being taken thereon, it was decided in the affirmative.

The Senate took up for consideration the message in writing made on the 27th of February, ult., by the Governor, which reads as follows, viz:

Gentlemen of the Senate:

The bill, entitled "An act to amend the charter of the Elizabethtown, Lexington, and Big Sandy Railroad Company," contains the following provisions in the first section:

"That the fourteenth section of the act, entitled 'An act to incorporate the Elizabethtown, Lexington, and Big Sandy Railroad Company,' approved 29th January, 1869, be amended by adding thereto the following words, to-wit: The company, after payment or tender of the damages, shall have the right to enter upon and take the lands in accordance with the terms of the inquest, without any writ of possession. And in all cases in which the company desires to have the inquest set aside by the circuit court, it may deposit with the sheriff of the county in which the lands sought to be condemned lie the amount of the damages assessed by the jury, who shall hold the same subject to such orders as may be made by the circuit court in reference thereto; and when said deposit shall have been made by the company, it shall have the same right to enter and take said

lands as in the case of payment or tender to the land-owner. After receiving the money from the company, it shall be the duty of the sheriff to execute, before the presiding judge of the county court, a covenant for the proper discharge of his duties under this act, with surety or sureties bound therein; and the company shall pay him two per centum on the amount deposited as a compensation for his services."

The thirteenth and fourteenth sections of the act to which this proposes to be an amendment (see Acts January session, 1869, volume one, pages 221-2-3) provide the way and steps to be taken, through the agency of a warrant from a justice of the peace, a sheriff or constable, a jury and its verdict, by which the company may force away from the citizen, against his will, his land, and vest the company with the right and power to take and use it for its own corporate purposes And it is provided in those sections, that *before the company can so seize and take* the property, the value thereof, and damages as found by the jury, shall be paid or tendered to the owner; and if either party is dissatisfied with the verdict of the jury, such party may file a traverse, and have the inquiry tried again in the circuit court.

The bill under consideration confers upon the company the privilege, upon the rendition of the verdict, of depositing in the hands of the sheriff of the county where the land lies the amount of damages assessed by the jury, and to thereupon take possession of the land, and deprive the owner of its use, or the use of the money to which the jury has decided he is entitled, until the company gets through its lawsuit against him in an effort to lessen the amount of damages that shall be paid to him for thus taking his property. In other words, the bill clothes the company with the power, upon the finding of the jury in the country (sworn by and presided over by a sheriff or constable), to take the citizen's land out of his possession, and proceed at once to use it for its own purposes, without giving or offering any compensation for it; and no provision is made by which he can get his money till the lawsuit is ended which is already commenced against him by the company; and whether he is to have any interest even then is not provided. The sheriff (perhaps the very officer who selects the jury and presides at the trial) is to receive, as compensation for his services, two per cent. on the amount assessed by the jury for holding and using the same; thus he, too, is made interested in the proceeding against the citizen. Under this bill, and the act to which it is an amendment, the corporation can, at its own chosen season of the year, break through the citizen's inclosures, destroy his orchards, tear down his barns, and take from him the house that shelters his wife and children, thus turning him out of home and possession, with no other guarantee of compensation than that the amount of his damages found by a jury is in the hands of the sheriff of his county, and perchance some of it may be paid to him at the end of a lawsuit with the corporation. The Government has a jealous regard and watchful concern for every citizen

in securing to him the possession and enjoyment of his own private property; and it has been wisely provided that no man or set of men are entitled to exclusive privileges from the community but in consideration of public services. The Government, exercising the right of eminent domain in seizing private property for public use, would do so only upon payment of a just compensation to the owner; and always, when it becomes necessary to exercise this high prerogative, a good government will do so with great care, and in a manner to show the tenderest regard for the citizen consistent with the exigencies of the demand.

The uses and purposes for which this bill allows private property to be taken are in one sense public, but they are in an equal (if not greater) sense *purely for the advancement of the interest and fortune of the stockholders of the company.* The Legislature, in delegating this power to a corporation to seize and deprive citizens of their private property, should guard the process by which it is to be done with all the conditions and provisions necessary to the largest convenience and justice to the citizen; *and certainly the corporation ought to pay or offer to pay him for his property before he is deprived of its possession.*

In the seventeenth volume of B. Monroe's Reports, page 190, in the case of Waller, &c., vs. Martin, the identical question was settled by the Supreme Court of the State. The Court there declares that the Legislature has no power to authorize a corporation to take the property of an individual for its own uses without previous compensation.

Regarding this bill as harsh and disregardful of the high and sacred rights of property secured by the organic law of the Commonwealth, I feel constrained to withhold my approval, and with the profoundest respect herewith return the bill with these my objections.

Respectfully,

P. H. LESLIE.

The bill referred to in said message reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky,* That the 14th section of the act, entitled "An act to incorporate the Elizabethtown, Lexington, and Big Sandy Railroad Company," approved January 29th, 1869, be amended by adding thereto the following words, viz: The company, after payment or tender of the damages, shall have the right to enter upon, and take, the lands in accordance with the terms of the inquest, without any writ of possession; and in all cases in which the company desires to have the inquest set aside by the circuit court, it may deposit with the sheriff of the county in which the lands sought to be condemned lie the amount of the damages assessed by the jury, who shall hold the same subject to such orders as may be made by the circuit court in reference thereto; and when said deposit shall have been made by the company, it shall have the same right to enter and take said lands as in the case of payment or tender to the land-owner. After receiving the money from the company, it shall be the duty of the sheriff to execute, before the presiding judge of the county court, a covenant for the proper discharge of his duties under this act, with surety or

sureties bound therein; and the company shall pay him two per centum on the amount deposited as a compensation for his services.

§ 2. That so much of sections one and four of the act amendatory of the act, entitled "An act to incorporate the Elizabethtown, Lexington, and Big Sandy Railroad Company," approved February 16th, 1870, as requires the county judge of any county through which the said road may run to submit to the voters of said county a proposition to vote a subscription to the capital stock of said company, be so amended as that the county judge shall not be required to submit any such proposition for the subscription of stock at any time while said company may have laborers or operatives employed in said county in constructing or operating said railroad.

§ 3. The county judge, after having submitted the question of subscription of stock to said railroad company, as required and provided in the heretofore cited amendatory act, shall not be so required to submit such question of subscription of stock to the capital stock of said company without further legislation.

§ 4. That in any proposition which may be submitted to the voters of Bath county, under the provisions of an act, entitled "An act to amend an act, entitled 'An act to incorporate the Elizabethtown, Lexington, and Big Sandy Railroad Company,'" the condition shall be inserted: That in lieu of certificates of stock to be issued to the county or the people thereof, as provided in the act to which this is amendatory, the company, upon the payment of the subscription made, shall file with the presiding judge of said county its obligation to accept at par, in payment of charges for transportation of freight and passengers over said road, the tax receipts issued to the citizens of said county for taxes levied and collected to pay said subscription; and no sale or lease of said road shall affect the obligation hereby imposed on said company. But the holders of tax receipts may, at his or her option, receive therefor certificates of stock, as provided in the act to which this is amendatory.

§ 5. This act to be in force from and after its passage.

The question was then taken, "Shall the bill pass, the objections of the Governor to the contrary notwithstanding?" and it was decided in the negative.

So the Governor was sustained in his veto of said bill.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz:

In the affirmative—none.

Those who voted in the negative, were—

John S. Barlow,	W. McKee Fox,	Wm. Johnson,
W. H. Chelf,	John J. Gatewood,	A. L. Martin,
J. Q. Chenoweth,	D. R. Haggard,	A. L. McAfee,
Harrison Cockrill,	H. S. Hale,	O. D. McManama,
Wm. L. Conklin,	Thomas F. Hargis,	Alfred T. Pope,
G. W. Connor,	Edwin Hawes,	K. F. Prichard,
John E. Cooper,	J. B. Haydon,	A. G. Talbott,

F. W. Darby, G. A. C. Holt, W. L. Vories—26.
J. H. Dorman, John W. Johnson,

On motion,

Ordered, That the Committee on Propositions and Grievances be directed to report a bill in relation to the removal and relocation of the county seat of Meade county on Tuesday, the 5th inst., at ten minutes past ten o'clock.

Mr. Cooper, from the Committee on Enrollments, reported that the committee had examined an enrolled bill, which originated in the Senate, of the following title, viz:

An act to incorporate at the town of Walton, in the county of Boone, an Agricultural and Mechanical Association;

And an enrolled bill, which originated in the House of Representatives, of the following title, viz:

An act to incorporate the Maysville, Flemingsburg, Coal and Iron Region Railway Company;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee, to be presented to the Governor for his approval and signature.

After a short time, Mr. Cooper reported that the committee had performed that duty.

Leave was given to bring in the following bills, viz:

On motion of Mr. Haggard—

1. A bill to prevent the collection of any money or debt for the sale of spirituous liquors by the drink, or for any amount sold in less quantity than one pint, to any citizen of this Commonwealth.

On motion of Mr. Barlow—

2. A bill for the benefit of Willis Palson, of Metcalfe county.

On motion of Mr. Cooper—

3. A bill to prohibit the sale of spirituous, malt, and vinous liquors in this Commonwealth.

On motion of Mr. McManama—

4. A bill to prevent the sale and vending of spirituous, vinous, and malt liquors in the counties of Jessamine, Pulaski, Estill, Scott, Floyd, Mercer, Grant, Harrison, Bath, and the city of Louisville.

On motion of Mr. Cooper—

5. A bill to attach a part of the county of Rowan to the county of Elliott.

On motion of same—

6. A bill for the protection of deer in Morgan, Wolfe, Magoffin, and Breathitt counties.

On motion of Mr. Chelf—

7. A bill to require the erection of suitable fish-ladders on all the streams of this Commonwealth where the free passage of fish is obstructed by locks and dams.

On motion of Mr. Whitaker—

8. A bill to charter Bratton's Mills Lodge, No. 475, of Free and Accepted Masons.

Ordered, That the Committee on Religion and Morals prepare and bring in the 1st, 2d, 3d, and 4th; the Committee on Propositions and Grievances the 5th and 6th; the Committee on Revised Statutes and Codes of Practice the 7th, and the Committee on Courts of Justice the 8th.

And then the Senate adjourned.

MONDAY, MARCH 4, 1872.

In the absence of the regular Speaker, Hon. Wm. Johnson was chosen Speaker *pro tempore*, and took the Chair.

A message was received from the House of Representatives, announcing that they had passed a bill, which originated in the Senate, of the following title, viz:

An act to amend an act, entitled "An act to amend an act to incorporate the Red River Iron Manufacturing Company," approved February 13, 1872.

That they had passed bills and a resolution of the following titles, viz:

1. An act to amend an act, entitled "An act to cause good schoolhouses to be erected in the Eighth and Ninth Congressional Districts," approved March 10th, 1871.

2. An act to amend the charter of the town of Hustonville, and amendments thereto.

3. Resolution for the benefit of B. E. Woodworth.

Which bills and resolution were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills and resolution being dispensed with, they were referred—the 1st to the Committee on Education; the 2d to the Committee on the Judiciary, and the 3d to the Committee on Claims.

The Senate, according to order, took up for consideration a bill, entitled

A bill to amend an act, entitled "An act to revise, digest, and compile the statute laws and Codes of Practice of Kentucky," approved March 10th, 1871.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That section one of an act, entitled "An act to revise, digest, and compile the Statute Laws and Codes of Practice of Kentucky," approved March 10th, 1871, be, and the same is hereby, amended as follows, to-wit: The Governor and Judges of the Court of Appeals shall nominate, and by and with the advice and consent of the Senate appoint, five Commissioners to revise the Statute Laws and Codes of Practice of Kentucky, who shall meet, commence, and conclude their labors, as therein provided. Two of said Commissioners shall be appointed to revise the Statute Laws, and two to revise the Codes of Practice, and the other Commissioner shall assist in the labors of each revision, and act as umpire at the joint meetings of all the Commissioners, which shall be called at any time by the umpire or a majority of the Commissioners.

§ 2. The amount for which the Auditor shall draw his warrant shall not exceed ten dollars per day to each Commissioner, and neither of said Commissioners shall receive more than eighteen hundred dollars for his services, and mileage for one trip only, going and returning.

§ 3. This act shall take effect from its passage.

Mr. Gatewood moved to amend said bill as follows, viz:

In section one, line four, after the word "Governor," strike out the words "and the Judges of the Court of Appeals."

And the question being taken on the adoption of said amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Chelf and Wm. Johnson, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	W. McKee Fox,	A. L. Martin,
James F. Clay,	John J. Gatewood,	A. L. McAfee,
Wm L. Conklin,	Thomas F. Hargis,	K. F. Prichard,
G. W. Connor,	Edwin Hawes,	A. G. Talbott,
William P. Duvall,	G. A. C. Holt,	Emery Whitaker—15.

Those who voted in the negative, were—

Robert Boyd,	D. R. Haggard,	O. D. McManama,
W. H. Chelf,	H. S. Hale,	Alfred T. Pope,
John E. Cooper,	J. B. Haydon,	E. D. Standeford,
F. W. Darby,	John W. Johnson,	W. L. Vories,
J. H. Dorman,	William Johnson,	Ben. J. Webb—15.

Mr. McManama then moved to amend said bill as follows, viz:

In section two, line two, strike out the word "ten" and insert the word "fifteen;" also strike out of same section, line three, the words "eighteen hundred" and insert "two thousand."

And the question being taken on the adoption of said amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Hawes and Cooper, were as follows, viz:

Those who voted in the affirmative, were—

W. H. Chelf,	Thomas F. Hargis,	O. D. McManama,
J. Q. Chenoweth,	John W. Johnson,	Alfred T. Pope,
James F. Clay,	William Johnson,	E. D. Standeford,
William P. Duvall,	A. L. Martin,	A. G. Talbott—13.
W. McKee Fox,		

Those who voted in the negative, were—

John S. Barlow,	J. H. Dorman,	A. L. McAfee,
Robert Boyd,	D. R. Haggard,	K. F. Prichard,
Wm. L. Conklin,	H. S. Hale,	W. L. Vories,
G. W. Connor,	Edwin Hawes,	Ben. J. Webb,
John E. Cooper,	J. B. Haydon,	Emery Whitaker—17.
F. W. Darby,	G. A. C. Holt,	

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

W. H. Chelf,	W. McKee Fox,	William Johnson,
J. Q. Chenoweth,	John J. Gatewood,	O. D. McManama,
James F. Clay,	D. R. Haggard,	Alfred T. Pope,
G. W. Connor,	H. S. Hale,	K. F. Prichard
John E. Cooper,	Thomas F. Hargis,	E. D. Standeford,
J. H. Dorman,	J. B. Haydon,	W. L. Vories,
Wm. P. Duvall,	John W. Johnson,	Ben. J. Webb—21.

Those who voted in the negative, were—

John S. Barlow,	Edwin Hawes,	A. L. McAfee,
Robert Boyd,	G. A. C. Holt,	A. G. Talbott,

Wm. L. Conklin, A. L. Martin, Emery Whitaker—10.
F. W. Darby,

Resolved, That the title of said bill be as aforesaid.

A message was received from the House of Representatives, asking that a committee be appointed by the Senate, to act in conjunction with a similar committee which had been appointed by the House of Representatives, to withdraw from the Governor a bill which originated in the House of Representatives, entitled

An act to incorporate the Maysville, Flemingsburg, Coal and Iron Region Railway Company.

Whereupon the Speaker appointed Messrs. Whitaker and Hargis as the committee on the part of the Senate.

Mr. Pope presented the petition of sundry citizens of Louisville, praying the passage of a general manufacturing law.

Which was received, the reading dispensed with, and referred to the Committee on the Judiciary.

The Senate, according to order, took up for consideration a bill, entitled

A bill to authorize the Elizabethtown, Lexington, and Big Sandy Railway Company, and Chesapeake and Ohio Railway Company, to bridge the Big Sandy river,

Together with the amendment proposed by Mr. Prichard as a substitute for said bill.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Elizabethtown, Lexington, and Big Sandy Railroad Company, a corporation legally incorporated and organized under the laws of this Commonwealth, and now existing therein; and the Chesapeake and Ohio Railroad Company, a corporation legally incorporated and organized under the laws of Virginia and West Virginia, and now existing therein, be, and each of them hereby is, authorized, as a part of its line of railroad, to build and work a railroad bridge across the Big Sandy river, at or near its mouth, and upon such location as may be most convenient with reference to the navigation of the river and the connection of the said railroads with each other: *Provided*, That said bridge shall be so constructed as not to obstruct the navigation of said river.

§ 2. This act shall take effect and be in force from and after its passage.

The amendment proposed by Mr. Prichard as a substitute for the bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Elizabethtown, Lexington, and Big Sandy Railway

Company, a corporation existing under the laws of this State, and Chesapeake and Ohio Railway Company, a corporation under the laws of Virginia and West Virginia, be, and they are hereby, authorized and empowered to erect and build a railway bridge across the Big Sandy river, upon the following terms and conditions, viz: The said railway bridge shall be built across said river within one mile and a half of the mouth of said Big Sandy river; and at or before the erection of said bridge said railway companies shall erect and thereafter keep and use a good and commodious depot for the accommodation of freight and passengers, which depot shall be located upon the Kentucky shore of the Big Sandy river, and shall be kept upon the regular time-table of the said railway companies. Said bridge shall be so constructed as not to impair, impede, or obstruct the navigation of said river.

§ 2. This act to take effect from and after its passage.

Pending the consideration of which amendment, it was

Ordered, That the further consideration thereof be postponed until to-morrow.

Mr. Cooper, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act to amend the charter of the town of Augusta, in Bracken county;

An act to change the name of the Hopkinsville Coal, Iron Mining, and Manufacturing Company;

An act to amend and reduce into one the several acts in relation to the town of Calhoun;

An act to amend an act, entitled, "An act to incorporate the Bowling Green and Madisonville Railroad Company," approved the 22d day of March, 1871;

And enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to repeal the charter of the Providence Mining, Manufacturing, and Shipping Company;

An act for the benefit of Geo. W. McClure, coroner of Rockcastle county;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Cooper reported that the committee had performed that duty.

Leave was given to bring in the following bills, viz:

On motion of Mr. Pope—

1. A bill to pay for paupers and sick persons from other counties in Kentucky in the charitable institutions of Louisville.

On motion of Mr. Hale—

2. A bill to incorporate the Cumberland Gap and Mississippi River Railroad Company.

On motion of Mr. Haggard—

3. A bill for the benefit of the town of Brandenburg.

On motion of same—

4. A bill to increase the pay for taking care of the idiots in this Commonwealth.

Ordered, That the Committee on the Judiciary prepare and bring in the 1st; the Committee on Railroads the 2d; the Committee on Propositions and Grievances the 3d, and the Committee on Claims the 4th.

And then the Senate adjourned.

TUESDAY, MARCH 5, 1872.

A message was received from the House of Representatives, announcing that they had passed bills, which originated in the Senate, of the following titles, viz:

An act to amend the charter of the city of Henderson.

An act to amend the charter of the Louisville and Shepherdsville Turnpike Road Company.

An act to incorporate the Owenton and Twin Creek Turnpike Road Company.

An act to amend the charter of the town of Owenton.

An act to amend and reduce into one the several acts incorporating the town of Brooksville, in Bracken county.

An act to incorporate the Benevolent Society in the city of Paducah.

An act to incorporate the Pewee Valley Cemetery Company.

An act to amend an act, entitled "An act to amend an act, entitled 'An act to incorporate the Jefferson Southern Pond Draining Company,'" approved March 9, 1868.

An act to amend an act, entitled "An act to amend the charter of the American Printing House for the Blind," approved April 31, 1861.

An act to re-enact and amend an act, entitled "An act to incorporate the town of Carrsville, in Livingston county."

An act to incorporate the Carrsville Silver and Lead Mining Company.

An act to incorporate the Newport Gas-light and Fuel Company.

An act for the benefit of the Middleburg and Liberty Turnpike Road Company.

An act to amend an act, entitled "An act to amend the charter of Hartford," approved March 2d, 1867.

An act to release persons heretofore required to work out the road tax on the Murphysville road, in Mason county, therefrom.

An act for the benefit of the Tuckyhoe Ridge Turnpike Road Company, in Mason county.

An act to incorporate the Hopkinsville Gas and Mining Company.

An act to incorporate Barlow City, in Ballard county.

An act to incorporate the Woodland Market-house Company, of Louisville.

An act to amend an act to incorporate the town of Smith's Grove.

An act to amend an act, entitled "An act to amend the charter of the town of Elizabethtown."

An act to amend an act, entitled "An act to repeal the charter and reincorporate the town of Elizabethtown."

An act to amend an act, entitled "An act further to amend the acts in relation to Elizabethtown and to extend its bounds," approved March 11, 1867.

An act to amend an act, entitled "An act to amend and reduce into one the several acts in reference to the town of Princeton."

An act to amend the charter of the town of Lancaster.

With an amendment to the last named bill.

Which was referred to the Committee on the Judiciary.

That they had passed bills of the following titles, viz:

1. An act appointing trustees for Williamstown Cemetery, in Grant county.

2. An act to revise, amend, and reduce into one the acts pertaining to the district of Highland, in the county of Campbell.

3. An act to amend the charter of the town of Upton.

4. An act to incorporate the Colored Agricultural and Mechanical Association of Woodford county.

5. An act to repeal an act to amend an act, entitled "An act incorporating Sherburn Bridge Company," approved March 14th, 1871.

6. An act to incorporate Mount Carmel Baptist Church, in Muhlenburg county.

7. An act to incorporate the Joint Stock Agricultural and Mechanical Association of Colored People, of Madison county.

8. An act to enlarge the boundaries of the town of Morganfield, in Union county.

9. An act to amend the charter of Owensboro.

10. An act to incorporate the town of Cairo, in Henderson county.

11. An act to amend the charter of the Kentucky Association for the Improvement of the Breed of Stock.

12. An act to incorporate the Church Aid Society.

13. An act for the consolidation and incorporation of the towns of Milton and Kingston, in Trimble county.

14. An act to incorporate Needham Lodge, No. 174, Caverna, Hart county, I. O. G. T.

15. An act to incorporate the Southwestern Kentucky Agricultural and Stock-raising Association.

16. An act to amend the charter of the St. Bernard Coal Company.

17. An act to incorporate the Frankfort Commonwealth Printing Company

18. An act to authorize the city of Hopkinsville and county of Christian to sell and transfer their stock in the Evansville, Henderson, and Nashville Railroad Company.

19. An act legalizing certain orders of the Mercer county court.

20. An act to extend and enlarge the corporate limits of the town of Albany, in Clinton county.

21. An act to incorporate the town of Demossville, in Pendleton county.

22. An act to incorporate the town of Wingo, in Graves county.

23. An act to amend the charter of Dixon, in Webster county.

24. An act to amend the charter of the town of Ashland.

25. An act to amend the charter of the Lancaster Cemetery Company.

26. An act to authorize the trustees of the Hancock Seminary to dispose of a lot of ground in Hancock county.

27. An act for the benefit of James Vinson and others, in Hardin county.

28. An act to amend the charter of the town of Curdsville, in Daviess county.

29. An act to amend and reduce into one the several acts incorporating the town of Milburn, in Ballard county.

30. An act to amend the charter of the Paducah Gas-light Company.

31. An act to incorporate the Owingsville Cemetery Company.

32. An act to incorporate the Cross Roads and Cornishville Turnpike Road Company.

33. An act to amend the charter of Bryantsville, and further amend an act approved February 14th, 1871.

34. An act to amend chapter No. 315, of acts 1869–'70, entitled "An act to incorporate the Rio Bridge Company."

35. An act to incorporate the Pendleton County Stock Association.

36. An act to amend an act to reduce into one the several acts in relation to the town of Richmond.

37. An act to incorporate the Catlettsburg Coal, Iron Mining, and Manufacturing Company.

38. An act to incorporate J. M. S. McCorkle Lodge, No. 355, of A. Y. F. M.

39. An act to amend an act, entitled "An act to incorporate the Hawesville Cemetery Company," approved December 7th, 1850.

40. An act to amend the charter of the town of Cloverport.

41. An act to incorporate the town of Marshall, in Bath county.

42. An act to amend an act, entitled "An act to reduce into one the several acts regulating the Butler Seminary."

43. An act to incorporate the Silas and Townsend Turnpike Company.

44. An act to amend the charter of the town of Slaughtersville, in Webster county.

45. An act to amend and reduce into one the several acts concerning the town of Glasgow.

46. An act to incorporate the Liberty and Green River Turnpike Road Company, in Casey county.

47. An act to incorporate the Fry's Creek Turnpike Road Company, in Lincoln and Casey counties.

48. An act to change the time of holding the Barren circuit court.

49. An act to amend and reduce into one the several acts concerning the town of Madisonville.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st, 26th, 27th, and 42d to the Committee on Education; the 2d, 9th, 10th, 13th, 20th, 21st, 22d, 24th, 36th, 37th, and 40th to the Committee on the Judiciary; the 3d, 8th, 14th, 23d, 28th, 29th, 33d, 38th, 41st, 44th, 45th, and 49th to the Committee on Revised Statutes and Codes of Practice; the 4th, 7th, 11th, 15th, 16th, 17th, and 35th to the Committee on Agriculture and Manufactures; the 5th, 18th, 32d, 34th, 43d, 46th, and 47th to the Committee on Internal Improvement; the 6th, 12th, 25th, 31st, and 39th to the Committee on Religion and Morals, and the 19th, 30th, and 48th to the Committee on Courts of Justice.

The Senate, according to order, took up for consideration a bill, entitled

A bill to authorize the Elizabethtown, Lexington, and Big Sandy Railway Company, and Chesapeake and Ohio Railway Company, to bridge the Big Sandy river,

Together with the amendment proposed by Mr. Prichard as a substitute for said bill.

[*For bill and amendment—see Senate Journal of yesterday.*]

The question was then taken on the adoption of the proposed amendment as a substitute for the bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Prichard and Wm. Johnson, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	F. W. Darby,	A. L. Martin,
Robert Boyd,	John J. Gatewood,	K. F. Prichard,
Harrison Cockrill,	D. R. Haggard,	W. L. Vories,
Wm L. Conklin,	H. S. Hale,	Ben. J. Webb,
G. W. Connor,	Thomas F. Hargis,	Emery Whitaker,
John E. Cooper,	G. A. C. Holt,	Thos. Wrightson—18.

Those who voted in the negative, were—

W. H. Chelf,	W. McKee Fox,	A. L. McAfee,
J. Q. Chenoweth,	Edwin Hawes,	O. D. McManama,
James F. Clay,	J. B. Haydon,	Alfred T. Pope,
J. H. Dorman,	John W. Johnson,	E. D. Standeford,
William P. Duvall,	William Johnson,	A. G. Talbott—15.

Ordered, That said bill, as amended, be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. McManama and Wm. Johnson, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	J. H Dorman,	Wm. Johnson,
Robert Boyd,	William P. Duvall,	A. L. Martin,
W. H. Chelf,	W. McKee Fox,	A. L. McAfee,
J. Q. Chenoweth,	John J. Gatewood,	K. F. Prichard,
James F. Clay,	D. R. Haggard,	E. D. Standeford,
Harrison Cockrill,	H. S. Hale,	A. G Talbott,
Wm. L. Conklin,	Thomas F. Hargis,	W. L. Vories,
G. W. Connor,	J. B. Haydon,	Ben. J. Webb,
John E. Cooper,	G. A. C. Holt,	Emery Whitaker,
F. W. Darby,	John W. Johnson,	Thos. Wrightson—30.

Those who voted in the negative, were—

Edwin Hawes,	O. D. McManama,	Alfred T. Pope—3.

Resolved, That the title of said bill be as aforesaid.

Mr. Martin then moved to reconsider the vote by which the Senate had passed said bill.

Mr. Cooper then moved to lay that motion on the table.

And the question being taken thereon, it was decided in the affirmative.

Mr. Haggard, from the Committee on Propositions and Grievances, to whom had been referred leave to bring in a bill, entitled

A bill to amend an act, entitled "An act to provide for the removal and relocation of the county seat of Meade county," approved the — day of —, 1872,

Asked to be discharged from the further consideration of the leave.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Conklin and Prichard, were as follows, viz:

Those who voted in the affirmative, were—

Robert Boyd,	J. H. Dorman,	A. L. Martin,
J. Q. Chenoweth,	W. W. Frazer,	Alfred T. Pope,
Harrison Cockrill,	John J. Gatewood,	K. F. Prichard,
Wm. L. Conklin,	D. R. Haggard,	E. D. Standeford,
G. W. Connor,	Thomas F. Hargis,	Ben. J. Webb,

John E. Cooper, John W. Johnson, Emery Whitaker—19.
F. W. Darby,

Those who voted in the negative, were—

John S. Barlow, H. S. Hale, O. D. McManama,
W. H. Chelf, Edwin Hawes, A. G. Talbott,
James F. Clay, J. B. Haydon, W. L. Vories,
William P. Duvall, William Johnson, Thos. Wrightson—14.
W. McKee Fox, A. L. McAfee,

On motion of Mr. McManama, a message was sent to the House of Representatives, asking leave to withdraw the announcement of their disagreement to the passage of a bill, which originated in the House of Representatives, entitled

An act to protect small birds in Bracken county,

After a short time, said bill was handed in at the Clerk's desk.

Mr. Standeford moved to dispense with the rule in order to take up the joint resolution heretofore proposed by himself, entitled

Resolution in relation to the final adjournment of the present session of the General Assembly.

And the question being taken on dispensing with the rule, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Prichard and Barlow, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow, J. H. Dorman, William Johnson,
Robert Boyd, Wm. P. Duvall, Alfred T. Pope,
W. H. Chelf, W. McKee Fox, E. D. Standeford,
James F. Clay, W. W. Frazer, W. L. Vories,
Harrison Cockrill, H. S. Hale, Ben. J. Webb,
Wm. L. Conklin, J. B. Haydon, Emery Whitaker—19.
F. W. Darby,

Those who voted in the negative, were—

J. Q. Chenoweth, Thomas F. Hargis, O. D. McManama,
G. W. Connor, Edwin Hawes, K. F. Prichard
John E. Cooper, John W. Johnson, A. G. Talbott,
John J. Gatewood, A. L. Martin, Thos. Wrightson—13.
D. R. Haggard,

Mr. Cooper, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act to incorporate the Franklin Academic Institute;

An act to authorize the county courts of Nicholas and Bourbon counties to compel persons to keep stock off of public roads;

An act to amend the charter of the city of Maysville;

An act to amend the charter of the city of Paducah;

An act to prohibit the sale of spirituous, vinous, or malt liquors in a certain portion of the Bridgeport election precinct;

An act to amend an act, entitled "An act to amend an act to incorporate the Red River Iron Manufacturing Company," approved February 13, 1872;

An act to amend the charter of the city of Covington;

And enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz:

An act to amend the charter of the city of Columbus, in Hickman county;

An act to amend the town charter of New Market, in Marion county;

An act for the benefit of Farish Arnett, of Magoffin county;

An act for the benefit of Mary W. Livingston, of Rockcastle county;

An act to amend the charter of the town of Franklin;

An act to supply public books for Kenton and Campbell counties;

An act giving the trustees of the common school district in Catlettsburg the right to levy a tax for two years to build a schoolhouse in said district;

An act for the benefit of J. M. Forgy, school commissioner of Butler county;

An act for the better organization of the public schools in the town of Carrollton, and to establish the common school district of Carrollton, in Carroll county.

An act to charter the Eddyville Male and Female Academy, in Lyon county;

An act to amend an act, entitled "An act to cause good schoolhouses to be erected in the Eighth and Ninth Congressional Districts;"

An act providing for levying a tax in aid of common schools in Greenup, Boyd, and Carter counties;

An act for the benefit of school district No. 16, Fulton county;

An act to amend an act, entitled "An act to establish a graded school at St. James College, in Shelbyville, Shelby county;"

An act for the benefit of common schools in Kentucky;

An act to provide for the redistricting of the school districts of the county of Campbell;

An act for the benefit of school district No. 26, in Ohio county;

An act authorizing the trustees of common school district No. 4, in McCracken county, to levy and collect a tax for the erection of school buildings;

An act for the benefit of Jno. P. Barrett, sheriff of Ohio county, and his securities;

Resolution directing the remains of the late Governor Adair to be reinterred in the Frankfort cemetery, and to erect monuments over the graves of Governors Adair and Breathitt.

And had found the same truly enrolled.

Said bills and resolution having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Cooper reported that the committee had performed that duty.

Leave was given to bring in the following bills, viz:

On motion of Mr. Barlow—

1. A bill for the benefit of school district No. 58, in Barren county.

On motion of Mr. Vories—

2. A bill to amend the turnpike law of Henry county.

On motion of Mr. John W. Johnson—

3. A bill for the benefit of school district No. 1, in Ohio county.

On motion of Mr. Gatewood—

4. A bill to provide for the repairing of the Louisville and Nashville Turnpike Road in the county of Warren, and to amend the charter thereof.

On motion of Mr. Chenoweth—

5. A bill to incorporate Brawner's Patent Levee Company.

Ordered, That the Committee on Education prepare and bring in the 1st and 3d; the Committee on Internal Improvement the 2d and 5th, and the Committee on Propositions and Grievances the 4th.

Mr. Prichard moved that the Senate do now adjourn.

Mr. Talbott moved to amend that motion as follows: "That the Senate do now adjourn, to meet again this afternoon at 4 o'clock."

And the question being taken on the adoption of the amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Talbott and Pope, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	J. B. Haydon,	A. G. Talbott,
Robert Boyd,	Alfred T. Pope,	W. L. Vories,
W. W. Frazer,	E. D. Standeford,	Thos. Wrightson—10.
H. S. Hale,		

Those who voted in the negative, were—

W. H. Chelf,	J. H. Dorman,	Wm. Johnson,
J. Q. Chenoweth,	William P. Duvall,	A. L. Martin,
James F. Clay,	W. McKee Fox,	A. L. McAfee,
Harrison Cockrill,	John J. Gatewood,	O. D. McManama,
Wm. L. Conklin,	D. R. Haggard,	K. F. Prichard,
G. W. Connor,	Thomas F. Hargis,	Ben. J. Webb,
John E. Cooper,	Edwin Hawes,	Emery Whitaker—23.
F. W. Darby,	John W. Johnson,	

The question was taken, "Shall the Senate now adjourn?" and it was decided in the affirmative.

WEDNESDAY, MARCH 6, 1872.

A message was received from the House of Representatives, announcing that they had disagreed to the passage of a bill, which originated in the Senate, entitled

An act to amend the charter of the town of Crittenden, in Grant county.

That they had passed bills, which originated in the Senate, of the following titles, viz:

An act to incorporate the Eagle Creek, Dallasburg, and Bethel Turnpike Road Company.

An act to exempt footmen from bridge toll.

An act to incorporate the Southside Turnpike Road Company.

An act to amend the charter of Big Sandy Navigation and Manufacturing Company.

An act to amend the charter of the Paducah and Illinois Bridge Company.

An act for the benefit of Wm. Day, of Breathitt county.

An act to incorporate the Green River Lock and Dam Company.

An act to incorporate the Catnip Hill Turnpike Road Company, in Jessamine county.

An act to incorporate the Smithfield and Pendleton Turnpike or Gravel Road Company.

An act to amend the charter of the Ballardsville and Christiansburg Turnpike Road Company.

An act to amend the charter of the Carroll, Owen, Gallatin, and Eagle Bridge Company.

An act allowing David Pryse, Z. T. Martin, and James M. Beatty to construct wharves at their respective landings at Beattyville.

An act to amend the charter of the Irvine and Miller's Creek Turnpike Road and Bridge Company.

With an amendment to the last named bill, which was referred to the Committee on Internal Improvement.

That they had passed bills of the following titles, viz:

An act to incorporate the Valley City Town Company.

An act to incorporate the town of Claremont, in Kenton county.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred to the Committee on the Judiciary.

A message was received from the Governor by Mr. Botts, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to provide for the erection of a prison-house for females, and a spinning-walk; to extend the walls of the Penitentiary, and to repair the walls and Penitentiary buildings.

An act to incorporate the trustees of the Washington Scientific School, in Mason county.

An act for the benefit of the county of Nelson.

An act for the benefit of Thos. A. Ireland, clerk of the Owen county court.

An act for the benefit of Wm. W. Burns, late sheriff of Robertson county, and his sureties.

An act to change the time for the election of president and directors of the Christian County Agricultural and Mechanical Association.

An act to amend the charter of the Central Kentucky Stock, Agricultural, and Mechanical Association, in Boyle county.

An act supplemental to an act, entitled "An act for the benefit of Knox county," approved March 20th, 1871.

An act for the benefit of Samuel Ellis and others.

An act for the benefit of John M. Thomas, of Grayson county.

An act to amend an act, entitled "An act to revise the laws relating to the public schools and academy of the city of Newport," approved February 17th, 1860.

An act in relation to the sale of spirituous liquors in Owsley county.

An act in relation to the office of the Quarter-Master General.

An act for the benefit of Harrison Berry, of Nicholas county.

An act for the benefit of the Female Seminary of the city of Paducah.

An act for the benefit of the University of the city of Paducah.

An act amending an act, entitled "An act to incorporate the Female Literary and Benevolent Institution of Nazareth, near Bardstown."

An act authorizing the trustees of the Baptist Church of Lick creek, in Gallatin county, to sell and convey certain land belonging to said church.

An act for the benefit of school district No. 26, in Nicholas county.

An act to prohibit the sale of spirituous, vinous, or malt liquors in Morgantown, or within one half mile of the corporate limits thereof.

An act authorizing the trustees of Bardstown to levy a tax for the purpose of purchasing a school-house.

Mr. Whitaker presented the petition of sundry citizens of common school district No. 50, in Mason county, asking the privilege of levying a tax to pay for a school-house.

Which was received, the reading dispensed with, and referred to the Committee on Education.

The Speaker laid before the Senate the memorial of the American Printing House for the Blind, which was referred to the Committee on the Judiciary.

The Senate took up for consideration a bill, entitled.

A bill to incorporate the Louisville and Brownsboro Railway Company.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Conklin, from the committee of conference appointed on the part of the Senate in relation to the disagreement of the two Houses on the amendment proposed by the Senate to a bill, which originated in the House of Representatives, entitled

An act to repeal an act authorizing the Auditor of Public Accounts to pay the Public Binder thirty-three per cent. upon former rates,

Reported that the committee were of the opinion that the Senate should recede from their amendment.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Chelf and Hale, were as follows, viz:

Those who voted in the affirmative, were—

Robert Boyd,	H. S. Hale,	J. B. Haydon,
Wm. L. Conklin,	Edwin Hawes,	Alfred T. Pope—7.
J. H. Dorman,		

Those who voted in the negative, were—

John S. Barlow,	Wm. P. Duvall,	A. L. Martin,
R. A. Burton,	W. McKee Fox,	A. L. McAfee,
James B. Casey,	W. W. Frazer,	K. F. Prichard,
W. H. Chelf,	John J. Gatewood,	E. D. Standeford,
J. Q. Chenoweth,	D. R. Haggard,	W. L. Vories,
Harrison Cockrill,	Thomas F. Hargis,	Ben. J. Webb,
G. W. Connor,	G. A. C. Holt,	Emery Whitaker,
John E. Cooper,	John W. Johnson,	Thos. Wrightson—26.
F. W. Darby,	Wm. Johnson,	

The Senate, according to order, took up for consideration a bill, entitled

A bill to further provide for the completion of the unfinished apartments in the building known as the Fire-proof Offices in the city of Frankfort.

Ordered, That said bill be engrossed and read a third time.

Said bill being engrossed, was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the sum of sixty thousand dollars be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to be paid in current funds, for the purpose of completing all of the unfinished apartments in the building known as the Fire-proof Offices in the city of Frankfort.

§ 2. The sum of money hereby appropriated, or such less sum as shall be necessary to accomplish the objects herein contemplated,

shall be expended by the Governor and two Commissioners, to be appointed by the Governor and confirmed by the Senate, who shall make such contracts, or cause such work to be done, as shall be necessary to complete all of the unfinished apartments in said building: *Provided*, That the Governor shall have power and authority to fill any vacancy which may occur in said commission.

§ 3. That all certificates for work done under provisions of this act, to the Auditor, for his warrant upon the Treasurer, shall be signed by the Governor.

§ 4. That this act shall take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

R. A. Burton,	William P. Duvall,	A. L. Martin,
James B. Casey,	W. W. Frazer,	O. D. McManama,
W. H. Chelf,	John J. Gatewood,	Alfred T. Pope,
J. Q. Chenoweth,	D. R. Haggard,	K. F. Prichard,
Harrison Cockrill,	H. S. Hale,	E. D. Standeford,
G. W. Connor,	Thomas F. Hargis,	A. G. Talbott,
John E. Cooper,	G. A. C. Holt,	W. L. Vories,
F. W. Darby,	John W. Johnson,	Ben. J. Webb,
J. H. Dorman,	Wm. Johnson,	Emery Whitaker—27.

Those who voted in the negative, were—

John S. Barlow,	Wm. L. Conklin,	Edwin Hawes,
Robert Boyd,	W. McKee Fox,	J. B. Haydon—6.

Resolved, That the title of said bill be as aforesaid.

Mr. Cooper, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act to amend an act, entitled "An act to amend the charter of Hartford," approved March 2d, 1867;

An act to release persons heretofore required to work out their road tax on the Murphysville road, in Mason county, therefrom;

An act to amend and reduce into one the several acts relating to the Preachers' Aid Society of the Louisville Annual Conference of the Methodist Episcopal Church, South;

An act to amend an act, entitled "An act to incorporate the town of Brownsville, in Edmonson county," approved February 15th, 1860.

An act to amend an act, entitled "An act to repeal the charter and reincorporate the town of Elizabethtown;"

And enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend an act, entitled "An act for the benefit of the citizens of Jackson county, in relation to the Wilderness Turnpike Road;"

An act to amend the charter of the Lexington Library;

An act for the benefit of Merrell Hardin;

An act to prohibit the drawing of seines or fish-nets from the mouth of Paint Lick creek to the mouth of Back creek;

An act for the benefit of George W. Brown, of Letcher county;

An act to authorize Lorenzo Dow Clark, sr., to erect a mill-dam across Big Mud creek, in Floyd county;

An act to prevent the destruction of fish in Cumberland and Tennessee rivers, and their tributaries;

An act for the benefit of Samuel Biggerstaff, of Madison county;

An act to amend an act, entitled "An act to protect small game in Lewis county, and to amend the amendments thereto;"

An act to define the meaning of the word "creditor," as used in the Revised Statutes and Civil Code of Practice, and in the acts amendatory thereof;

An act for the benefit of J. J. Wood, late sheriff of Clinton county and his sureties;

An act to prohibit the sale of spirituous liquors at retail in the Peak's Mill voting precinct, in Franklin county;

An act to prohibit the sale of ardent spirits in Morgan county;

An act to prevent the sale of spirituous liquors within one mile of East Hickman Baptist Church, in Fayette county;

An act allowing the citizens of the incorporated town of Stephensport to vote for or against the sale of spirituous, vinous, or malt liquors in said town;

An act for the benefit of Gilead Presbyterian Church, in Bath county;

An act to amend an act incorporating College Street Presbyterian Church, of Louisville;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Cooper reported that the committee had performed that duty.

Leave was given to bring in the following bills, viz:

On motion of Mr. McManama—

1. A bill for the benefit of John M. Curry, late sheriff of Pendleton county.

On motion of same—

2. A bill to repeal an act, entitled "An act to create a Board of Commissioners of the Sinking Fund of Pendleton county, and the amendments thereto."

On motion of same—

3. A bill to change the time of holding the Pendleton county court from the first to the third Monday in each month.

On motion of Mr. McAfee—

4. A bill for the benefit of the Kentucky River Navigation Company.

Ordered, That the Committee on Propositions and Grievances prepare and bring in the 4th, and that a select committee, consisting of Messrs. McManama, Clay, and Barlow, be requested to prepare and bring in the rest.

The Senate took up for consideration a bill, which originated in the House of Representatives, entitled

An act to lay off the State into ten Congressional Districts.

Which bill was read the first time, and ordered to be read a second time.

Said bill was read a second time as follows, viz:

§1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That, for the purpose of choosing ten members of the House of Representatives in the Congress of the United States, under the ninth census, the State shall be divided into ten districts, in each of which one member shall be elected:

The counties of Fulton, Hickman, Calloway, Marshall, McCracken, Ballard, Trigg, Lyon, Crittenden, Livingston, Graves, and Caldwell, shall compose the First District.

The counties of Daviess, Hopkins, Muhlenburg, Ohio, McLean, Christian, Webster, Henderson, Hancock, and Union, shall compose the Second District.

The counties of Todd, Logan, Butler, Edmonson, Warren, Simpson, Allen, Barren, Monroe, Metcalfe, Cumberland, and Clinton, shall compose the Third District.

The counties of Anderson, Spencer, Bullitt, Nelson, Washington, Marion, Larue, Hart, Grayson, Hardin, Breckinridge, and Meade, shall compose the Fourth District.

The counties of Jefferson and Oldham shall compose the Fifth District.

The counties of Harrison, Pendleton, Grant, Campbell, Kenton, Boone, Gallatin, Carroll, and Trimble, shall compose the Sixth District.

The counties of Jessamine, Clark, Bourbon, Fayette, Woodford, Franklin, Scott, Owen, Henry, and Shelby, shall compose the Seventh District.

The counties of Wayne, Pulaski, Lincoln, Garrard, Madison, Mercer, Boyle, Casey, Taylor, Green, Adair, and Russell, shall compose the Eighth District.

The counties of Whitley, Knox, Laurel, Rockcastle, Jackson, Estill, Powell, Owsley, Clay, Harlan, Perry, Breathitt, Wolfe, Morgan, Magoffin, Floyd, Pike, Letcher, Menifee, Elliott, Josh Bell, Lee, and Montgomery, shall compose the Ninth District.

The counties of Bracken, Mason, Lewis, Greenup, Boyd, Carter, Lawrence, Johnson, Rowan, Bath, Martin, Nicholas, Fleming, and Robertson, shall compose the Tenth District.

§ 2. This act shall be in force from and after its passage.

Mr. Haggard then moved to amend said bill as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That, for the purpose of choosing ten members of the House of Representatives in the Congress of the United States, under the ninth census, the State shall be divided into ten districts, in each of which one member shall be elected.

1. The First District shall be composed of the counties of Fulton, Hickman, Ballard, McCracken, Graves, Calloway, Marshall, Trigg, Lyon, Caldwell, Livingston, and Crittenden.

2. The Second District shall be composed of the counties of Logan, Todd, Christian, Hopkins, Webster, Union, Henderson, Muhlenburg, and McLean.

3. The Third District shall be composed of the counties of Butler, Ohio, Daviess, Hancock, Breckinridge, Grayson, Hart, Larue, Hardin, Meade, and Edmonson.

4 The Fourth District shall be composed of the counties of Simpson, Warren, Barren, Allen, Monroe, Cumberland, Clinton, Metcalfe, Adair, Russell, Wayne, Green, and Whitley.

5. The Fifth District shall be composed of the counties of Jefferson, Oldham, and Trimble.

6. The Sixth District shall be composed of the counties of Taylor, Casey, Pulaski, Lincoln, Garrard, Boyle, Marion, Washington, Nelson, Bullitt, Spencer, and Mercer.

7. The Seventh District shall be composed of the counties of Jessamine, Woodford, Fayette, Clark, Bourbon, Scott, Harrison, Pendleton, Anderson, and Franklin.

8. The Eighth District shall be composed of the counties of Henry, Carroll, Gallatin, Boone, Kenton, Campbell, Grant, Owen, and Shelby.

9. The Ninth District shall be composed of the counties of Martin, Johnson, Lawrence, Boyd, Carter, Greenup, Lewis, Rowan, Bath, Montgomery, Nicholas, Fleming, Mason, Robertson, and Bracken.

10. The Tenth District shall be composed of the counties of Madison, Rockcastle, Laurel, Knox, Josh Bell, Harlan, Clay, Owsley,

Jackson, Lee, Estill, Powell, Menifee, Wolfe, Breathitt, Perry, Pike, Letcher, Floyd, Magoffin, Morgan, and Elliott.

§ 3. This act shall take effect from its passage.

After some discussion had thereon, Mr. Talbott moved to postpone the further consideration of said bill and proposed amendment until to-morrow at ten minutes past ten o'clock, A. M.

And the question being taken thereon, it was decided in the negative.

The question was then taken on the adoption of the amendment proposed by Mr. Haggard as a substitute for the bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Haggard and Wm. Johnson, were as follows, viz:

Those who voted in the affirmative, were—

R. A. Burton,	John E. Cooper,	H. S. Hale,
W. H. Chelf,	F. W. Darby,	J. B. Haydon,
J. Q. Chenoweth,	J. H. Dorman,	G. A. C. Holt,
Harrison Cockrill,	W. W. Frazer,	A. L. McAfee,
Wm. L. Conklin,	D. R. Haggard,	W. L. Vories—16.
G. W. Connor,		

Those who voted in the negative, were—

John S. Barlow,	Thomas F. Hargis,	Alfred T. Pope,
Robert Boyd,	Edwin Hawes,	E. D. Standeford,
James B. Casey,	John W. Johnson,	A. G. Talbott,
James F. Clay,	William Johnson,	Ben. J. Webb,
Wm. P. Duvall,	A. L. Martin,	Emery Whitaker,
W. McKee Fox,	O. D. McManama,	Thos. Wrightson—19.
John J. Gatewood,		

Mr. Hargis then moved to reconsider the vote by which the Senate had rejected the amendment proposed by Mr. Haggard.

Mr. Wrightson moved to lay said motion on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Chelf and Frazer, were as follows, viz:

Those who voted in the affirmative, were—

Robert Boyd,	Edwin Hawes,	E. D. Standeford,
James B. Casey,	John W. Johnson,	A. G. Talbott,
James F. Clay,	William Johnson,	Ben. J. Webb,
William P. Duvall,	O. D. McManama,	Emery Whitaker,
W. McKee Fox,	Alfred T. Pope,	Thos. Wrightson—16.
John J. Gatewood,		

Those who voted in the negative, were—

John S. Barlow,	John E. Cooper,	Thomas F. Hargis,
R. A. Burton,	F. W. Darby,	J. B. Haydon,
W. H. Chelf,	J. H. Dorman,	G. A. C. Holt,
J. Q. Chenoweth,	W. W. Frazer,	A. L. Martin,
Harrison Cockrill,	D. R. Haggard,	A. L. McAfee,
Wm L. Conklin,	H. S. Hale,	W. L. Vories—20.
G. W. Connor,		

At two o'clock, P. M., Mr. McAfee moved an adjournment.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Fox and Hawes, were as follows, viz:

Those who voted in the affirmative, were—

R. A. Burton,	John E. Cooper,	J. B. Haydon,
James B. Casey,	F. W. Darby,	A. L. Martin,
W. H. Chelf,	William P. Duvall,	A. L. McAfee,
J. Q. Chenoweth,	John J. Gatewood,	A. G. Talbott,
Harrison Cockrill,	Thomas F. Hargis,	W. L. Vories,
Wm. L. Conklin,	Edwin Hawes,	Ben. J. Webb—19.
G. W. Connor,		

Those who voted in the negative, were—

John S. Barlow,	W. W. Frazer,	Alfred T. Pope,
Robert Boyd,	H. S. Hale,	E. D. Standeford,
James F. Clay,	John W. Johnson,	Emery Whitaker,
J. H. Dorman,	William Johnson,	Thos. Wrightson—14.
W. McKee Fox,	O. D. McManama,	

And then the Senate adjourned.

THURSDAY, MARCH 7, 1872.

A message was received from the House of Representatives, announcing that they had passed a bill, which originated in the Senate, of the following title, viz:

An act to amend an act, entitled "An act to revise, digest, and compile the statute laws and Codes of Practice of Kentucky," approved March 10th, 1871.

A message was also received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of John B. Greenwell, of Owen county.

An act for the appointment of official reporters, and for the preservation of evidence in certain cases.

An act to amend the charter of the town of Bowling Green.

An act for the benefit of the Cleaveland Orphan Asylum.

An act to authorize the clerk of the Todd county court to make a cross-index to all the deeds in his office.

An act for the benefit of W. B. Stivers, school commissioner of Madison county.

An act to incorporate the town of Montgomery, in Trigg county.

An act for the benefit of William Cummins and his sureties.

An act to amend an act, entitled "An act to incorporate the Mount Sterling and Spencer Creek Turnpike Road Company," approved March 24th, 1861.

An act for the benefit of Solomon Tingle, of Henry county.

An act to require the clerk of the Louisville chancery court to make a cross-index to suits and cross-suits in said court, and continue the same.

An act to amend an act, entitled "An act to incorporate the Grand Central Industrial Exposition," approved February 16, 1872.

An act to amend an act, entitled "An act to prevent justices of the peace in Kenton county from holding inquests in certain cases," approved March 22d, 1871.

An act to amend section 39 of the city charter of Owensboro.

An act to incorporate the Christian County Bank.

An act to incorporate the Paducah and North Ballard Turnpike Road Company.

A message was received from the Governor by Mr. Botts, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to amend and reduce into one the several acts in relation to the town of Calhoun.

An act to authorize the county courts of Nicholas and Bourbon counties to compel persons to keep stock off of public roads.

An act to amend the charter of the city of Maysville.

An act to incorporate the Franklin Academic Institute.

An act to amend the charter of the city of Covington.

An act to amend the charter of the city of Paducah.

An act to prevent the sale of spirituous, vinous, and malt liquors in a certain portion of the Bridgeport election precinct.

An act to amend an act, entitled "An act to amend an act to incorporate the Red River Iron and Manufacturing Company," approved February 13th, 1872.

An act to incorporate at the town of Walton, in the county of Boone, an Agricultural and Mechanical Association.

An act to amend an act, entitled "An act to incorporate the Frankfort, Paris, and Big Sandy Railroad Company."

An act for the benefit of Sulphur Well school district, in Jessamine county.

An act to amend the charter of the town of Augusta, in Bracken county.

An act to change the name of the Hopkinsville Coal, Iron Mining, and Manufacturing Company.

Mr. McManama, from a select committee, reported a bill, entitled

A bill to repeal an act, entitled "An act to create a Board of Commissioners of the Sinking Fund of Pendleton county, and the amendments thereto."

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The Senate took up for consideration, a bill, entitled

A bill to regulate the charges of the railroads of this Commonwealth.

On motion of Mr. Hale,

Ordered, That the further consideration of said bill be postponed to, and made the special order of the day for, Saturday next, the 9th inst.

The Senate resumed the consideration of a bill, which originated in the House of Representatives, entitled

An act to lay off the State into ten Congressional Districts,

Together with the motion made by Mr. Hargis on yesterday to reconsider the vote by which the Senate had rejected the amendment proposed by Mr. Haggard as a substitute for the bill.

The question was then taken on the motion to reconsider said vote, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Chelf and Hargis, were as follows, viz:

Those who voted in the affirmative, were—

R. A. Burton,	G. W. Connor,	Thomas F. Hargis,
W. H. Chelf,	John E. Cooper,	J. B. Haydon,
J. Q. Chenoweth,	J. H. Dorman,	A. L. McAfee,
Harrison Cockrill,	W. W. Frazer,	K. F. Prichard,
Wm. L. Conklin,	D. R. Haggard,	W. L. Vories—15.

Those who voted in the negative, were—

John S. Barlow,	John J. Gatewood,	Alfred T. Pope,
Robert Boyd,	H. S. Hale,	E. D. Standeford,
James B. Casey,	Edwin Hawes,	A. G. Talbott,
James F. Clay,	John W. Johnson,	Ben. J. Webb,
F. W. Darby,	William Johnson,	Emery Whitaker,
William P. Duvall,	A. L. Martin,	Thos. Wrightson—20.
W. McKee Fox,	O. D. McManama,	

Mr. Chelf then moved to amend said bill as follows, viz:

[*For bill—see Journal of yesterday.*]

Change the county of Green from the Eighth to the Fourth District.

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Chelf and Prichard, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	D. R. Haggard,	K. F. Prichard,
W. H. Chelf,	Thomas F. Hargis,	E. D. Standeford,
Harrison Cockrill,	J. B. Haydon,	A. G. Talbott,
Wm. L. Conklin,	John W. Johnson,	W. L. Vories,
John E. Cooper,	Wm. Johnson,	Emery Whitaker—16.
J. H. Dorman,		

Those who voted in the negative, were—

Robert Boyd,	W. McKee Fox,	A. L. Martin,
R. A. Burton,	W. W. Frazer,	A. L. McAfee,
James B. Casey,	Edwin Hawes,	Alfred T. Pope,
James F. Clay,	G. A. C. Holt,	Thos. Wrightson—13.
William P. Duvall,		

Mr. Chelf then moved further to amend said bill as follows, viz:

Change the county of Anderson from the Fourth to the Eighth Congressional District.

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Burton and Prichard, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	J. H. Dorman,	John W. Johnson,
James B. Casey,	W. McKee Fox,	Wm. Johnson,
W. H. Chelf,	John J. Gatewood,	K. F. Prichard,
Harrison Cockrill,	D. R. Haggard,	E. D. Standeford,
Wm. L. Conklin,	Thomas F. Hargis,	A. G. Talbott,
John E. Cooper,	J. B. Haydon,	Ben. J. Webb—18.

Those who voted in the negative, were—

R. A. Burton,	Wm. P. Duvall,	A. L. Martin,
J. Q. Chenoweth,	W. W. Frazer,	A. L. McAfee,
James F. Clay,	H. S. Hale,	Alfred T. Pope,
G. W. Connor,	Edwin Hawes,	W. L. Vories,
F. W. Darby,	G. A. C. Holt,	Thos. Wrightson—15.

Mr. Chenoweth then moved to amend said bill as follows, viz:

Strike Mercer county from the Eighth and add it to the Seventh District.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Hale and Chenoweth, were as follows, viz:

Those who voted in the affirmative, were—

R. A. Burton,	F. W. Darby,	A. L. Martin,
W. H. Chelf,	D. R. Haggard,	A. L. McAfee,
J. Q. Chenoweth,	H. S. Hale,	K. F. Prichard,
James F. Clay,	Thomas F. Hargis,	E. D. Standeford,

Wm. L. Conklin, G. A. C. Holt, W. L. Vories—16.
G. W. Connor,

Those who voted in the negative, were—

John S. Barlow, W. McKee Fox, Alfred T. Pope,
Robert Boyd, W. W. Frazer, A. G. Talbott,
James B. Casey, John J. Gatewood, Ben. J. Webb,
John E. Cooper, Edwin Hawes, Emery Whitaker
J. H. Dorman, John W. Johnson, Thos. Wrightson—17.
Wm. P. Duvall, William Johnson,

Mr. Vories then moved to amend said bill as follows, viz:

Strike Bourbon county from the Seventh District, and insert in lieu thereof the counties of Carroll and Trimble. Strike the counties of Carroll and Trimble from the Sixth District, and insert Bourbon county in lieu thereof.

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Wrightson and Vories, were as follows, viz:

Those who voted in the affirmative were—

John S. Barlow, J. H. Dorman, K. F. Prichard,
Robert Boyd, D. R. Haggard, E. D. Standeford,
R. A. Burton, Thomas F. Hargis, A. G. Talbott,
W. H. Chelf, J. B. Haydon, W. L. Vories,
J. Q. Chenoweth, G. A. C. Holt, Ben. J. Webb,
Harrison Cockrill, John W. Johnson, Emery Whitaker,
Wm. L. Conklin, A. L. Martin, Thos. Wrightson—23.
John E. Cooper, O. D. McManama,

Those who voted in the negative, were—

James B. Casey, Wm. P. Duvall, Edwin Hawes,
James F. Clay, W. McKee Fox, Wm. Johnson,
G. W. Connor, John J. Gatewood, A. L. McAfee—11.
F. W. Darby, H. S. Hale,

Mr. Barlow then moved to amend said bill as follows, viz:

By changing Hart county from the Fourth to the Third District, and changing Butler county from the Third to the Fourth District.

Pending the consideration of which amendment, Mr. McManama moved to lay the bill and pending amendments on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. McManama and Boyd, were as follows, viz:

Those who voted in the affirmative, were—

Robert Boyd, William P. Duvall—2.

Those who voted in the negative, were—

John S. Barlow,	J. H. Dorman,	A. L. Martin,
R. A. Burton,	W. McKee Fox,	A. L. McAfee,
James B. Casey,	W. W. Frazer,	O. D. McManama,
W. H. Chelf,	John J. Gatewood,	Alfred T. Pope,
J. Q. Chenoweth,	D. R. Haggard,	K. F. Prichard,
James F. Clay,	H. S. Hale,	E. D. Standeford,
Harrison Cockrill,	Thomas F. Hargis,	A. G. Talbott,
Wm. L. Conklin,	Edwin Hawes,	W. L. Vories,
G. W. Connor,	G. A. C. Holt,	Ben. J. Webb,
John E. Cooper,	John W. Johnson,	Emery Whitaker,
F. W. Darby,	Wm. Johnson,	Thos. Wrightson—33.

At one o'clock, P. M., Mr. Fox moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. McManama and Cockrill, were as follows, viz:

Those who voted in the affirmative, were—

Wm. L. Conklin,	William P. Duvall,	A. L. McAfee,
G. W. Connor,	W. McKee Fox,	K. F. Prichard—7.
J. H. Dorman,		

Those who voted in the negative, were—

John S. Barlow,	F. W. Darby,	William Johnson,
Robert Boyd,	W. W. Frazer,	O. D. McManama,
R. A. Burton,	John J. Gatewood,	Alfred T. Pope,
James B. Casey,	D. R. Haggard,	E D. Standeford,
W. H. Chelf,	H. S. Hale,	A. G. Talbott,
J. Q. Chenoweth,	Thomas F. Hargis,	W. L. Vories,
James F. Clay,	Edwin Hawes,	Ben. J. Webb,
Harrison Cockrill,	G. A. C. Holt,	Emery Whitaker,
John E. Cooper,	John W. Johnson,	Thos. Wrightson—27.

The question was then taken on the adoption of the amendment proposed by Mr. Barlow, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. McManama and Gatewood, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	A. L. McAfee,	A. G. Talbott,
W. W. Frazer,	E. D. Standeford,	W. L. Vories—7.
D. R. Haggard,		

Those who voted in the negative, were—

Robert Boyd,	F. W. Darby,	G. A. C. Holt,
R. A. Burton,	J. H. Dorman,	John W. Johnson,
James B. Casey,	William P. Duvall,	William Johnson,
W. H. Chelf,	W. McKee Fox,	O. D. McManama,

James F. Clay,	John J. Gatewood,	Alfred T. Pope,
Harrison Cockrill,	H. S. Hale,	Ben. J. Webb,
Wm. L. Conklin,	Thomas F. Hargis,	Emery Whitaker,
G. W. Connor,	Edwin Hawes,	Thos. Wrightson—25.
John E. Cooper,		

Mr. Cockrill then moved to amend the bill as follows, viz:

By changing Madison county from the Eighth to the Ninth District.

Pending the consideration of which amendment, Mr. Hale moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the negative.

The yeas and nays being required thereon by Messrs. Boyd and Hale, were as follows, viz:

Those who voted in the affirmative, were—

James F. Clay,	W. W. Frazer,	K. F. Prichard,
J. H. Dorman,	John J. Gatewood,	E. D. Standeford,
W. McKee Fox,	H. S. Hale,	Ben. J. Webb—9.

Those who voted in the negative, were—

John S. Barlow,	John E. Cooper,	A. L. Martin,
Robert Boyd,	F. W. Darby,	A. L. McAfee,
R. A. Burton,	William P. Duvall,	O. D. McManama,
James B. Casey,	D. R. Haggard,	Alfred T. Pope,
W. H. Chelf,	Thomas F. Hargis,	A. G. Talbott,
J. Q. Chenoweth,	Edwin Hawes,	W. L. Vories,
Harrison Cockrill,	John W. Johnson,	Emery Whitaker,
Wm. L. Conklin,	Wm. Johnson,	Thos. Wrightson—25.
G. W. Connor,		

The question was then taken on the adoption of the amendment proposed by Mr. Cockrill, and it was decided in the negative.

Mr. Cockrill then moved further to amend said bill as follows, viz:

By changing Whitley county from the Ninth to the Eighth District.

And the question being taken on the adoption of said amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Cockrill and Hargis, were as follows, viz:

Those who voted in the affirmative, were—

R. A. Burton,	John E. Cooper,	A. L. McAfee,
Harrison Cockrill,	Wm. P. Duvall,	O. D. McManama,
Wm. L. Conklin,	D. R. Haggard,	W. L. Vories—11.
G. W. Connor,	Thomas F. Hargis,	

Those who voted in the negative, were—

John S. Barlow,	W. W. Frazer,	Alfred T. Pope,
Robert Boyd,	John J. Gatewood,	K. F. Prichard,
James B. Casey,	H. S. Hale,	E. D. Standeford,

J. Q. Chenoweth,	Edwin Hawes,	A. G. Talbott,
James F. Clay,	John W. Johnson,	Ben. J. Webb,
F. W. Darby,	Wm. Johnson,	Emery Whitaker,
J. H. Dorman,	A. L. Martin,	Thos. Wrightson—22.
W. McKee Fox,		

Mr. McManama then moved to amend said bill as follows, viz:

By striking the counties of Anderson and Mercer from the Eighth District and attaching them to the Seventh District.

Which was rejected.

Mr. McManama then moved further to amend said bill as follows, viz:

By striking the counties of Lincoln and Garrard from the Eighth District and attaching them to the Seventh.

And the question being taken on the adoption of said amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. McManama and Hargis, were as follows, viz:

In the affirmative—none.

Those who voted in the negative, were—

John S. Barlow,	William P. Duvall,	A. L. McAfee,
Robert Boyd,	W. McKee Fox,	O. D. McManama,
R. A. Burton,	W. W. Frazer,	Alfred T. Pope,
James B. Casey,	John J. Gatewood,	K. F. Prichard,
W. H. Chelf,	D. R. Haggard,	E. D. Standeford,
J. Q. Chenoweth,	Thomas F. Hargis,	A. G. Talbott,
James F. Clay,	Edwin Hawes,	W. L. Vories,
Wm. L. Conklin,	John W. Johnson,	Ben. J. Webb,
John E. Cooper,	Wm. Johnson,	Emery Whitaker,
F. W. Darby,	A. L. Martin,	Thos. Wrightson—31.
J. H. Dorman,		

At twenty-five minutes past two o'clock Mr. McManama moved that the Senate do now adjourn.

And the question being taken on the adoption of said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. McManama and Chenoweth, were as follows, viz:

Those who voted in the affirmative, were—

James B. Casey,	Edwin Hawes,	K. F. Prichard,
G. W. Connor,	A. L. McAfee,	Ben. J. Webb—7.
William P. Duvall,		

Those who voted in the negative, were—

John S. Barlow,	F. W. Darby,	A. L. Martin,
Robert Boyd,	J. H. Dorman,	O. D. McManama,
R. A. Burton,	W. McKee Fox,	Alfred T. Pope,

W. H. Chelf,	W. W. Frazer,	E. D. Standeford,
J. Q. Chenoweth,	John J. Gatewood,	A. G. Talbott,
James F. Clay,	D. R. Haggard,	W. L. Vories,
Harrison Cockrill,	Thomas F. Hargis,	Emery Whitaker,
Wm. L. Conklin,	John W. Johnson,	Thos. Wrightson—26.
John E. Cooper,	William Johnson,	

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. McManama and Hargis, were as follows, viz:

Those who voted in the affirmative, were—

W. H. Chelf,	W. McKee Fox,	Alfred T. Pope,
J. Q. Chenoweth,	W. W. Frazer,	K. F. Prichard,
James F. Clay,	John J. Gatewood,	E. D. Standeford,
Harrison Cockrill,	Edwin Hawes,	A. G. Talbott,
John E. Cooper,	John W. Johnson,	W. L. Vories,
F. W. Darby,	Wm. Johnson,	Ben. J. Webb,
J. H. Dorman,	A. L. Martin,	Emery Whitaker—21.

Those who voted in the negative, were—

John S. Barlow,	Wm. L. Conklin,	Thomas F. Hargis,
Robert Boyd,	G. W. Connor,	A. L. McAfee,
R. A. Burton,	Wm. P. Duvall,	O. D. McManama,
James B. Casey,	D. R. Haggard,	Thos. Wrightson—12.

Resolved, That the title of said bill be as aforesaid.

Mr. Cooper, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act to incorporate the Owenton and Twin Creek Turnpike Road Company;

An act to incorporate the Benevolent Society in the city of Paducah;

An act to incorporate the Pewee Valley Cemetery Company;

An act to amend an act, entitled "An act to amend an act, entitled 'An act to incorporate the Jefferson Southern Pond Draining Company,'" approved March 9, 1868;

An act to amend an act, entitled "An act to amend the charter of the American Printing House for the Blind," approved April 3d, 1861;

An act to re-enact and amend an act, entitled "An act to incorporate the town of Carrsville, in Livingston county;"

An act for the benefit of the Middleburg and Liberty Turnpike Road Company;

An act to incorporate the district of Hayfield, in Campbell county;

An act for the benefit of the Tuckyhoe Ridge Turnpike Road Company, in Mason county;

An act to amend the charter of the city of Henderson;

An act to amend the charter of the Louisville and Shepherdsville Turnpike Road Company;

An act to incorporate Barlow City, in Ballard county;

An act to incorporate the Woodland Market-house Company, of Louisville;

An act to incorporate the Mattingly Coal Company;

An act to amend an act, entitled "An act further to amend the acts in relation to Elizabethtown and to extend its bounds," approved March 11, 1867;

An act to amend an act, entitled "An act to amend the charter of the town of Elizabethtown;"

An act to amend an act, entitled "An act to amend and reduce into one the several acts in reference to the town of Princeton;"

And enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz:

An act to prohibit the sale of ardent spirits in the first and fifth magisterial districts of Todd county;

An act to amend an act in relation to the sale of spirituous liquors in Letcher county, approved March 21st, 1870;

An act relating to the sale of ardent spirits in Carter county;

An act to prohibit the sale of intoxicating liquors in and near the town of Spottsville, in Henderson county;

An act to amend an act prohibiting the sale of intoxicating drink in Rockcastle county;

An act to incorporate the Falls City Levee and Bridge Company;

Resolution asking for information in regard to certain insurance companies;

And had found the same truly enrolled.

Said bills and resolution having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Cooper reported that the committee had performed that duty.

Upon motion of Mr. John W. Johnson, leave was given to bring in a bill, entitled

A bill to charter the Kentucky Tobacco Commission and Mining Company.

Ordered, That the Committe on Agriculture and Manufactures prepare and bring in the same.

And then the Senate adjourned.

FRIDAY, MARCH 8, 1872.

A message was received from the House of Representatives, announcing that they had passed bills, which originated in the Senate, of the following titles, viz:

An act to amend the charter of the New Castle and Eminence Turnpike Road.

An act for the benefit of the Murphysville Turnpike Road Company, in Mason county.

An act to repeal an act, entitled "An act to create a Board of Commissioners of the Sinking Fund of Pendleton county, and the amendments thereto."

An act for the benefit of persons who have entered and surveyed vacant lands in the counties of Lawrence, Carter, Floyd, Pike, Perry, Clay, Josh Bell, Johnson, and Letcher, in this Commonwealth.

That they had passed bills of the following titles, viz:

1. An act to create the office of county treasurer for Campbell county.

2. An act to amend the charter of the Bank Lick and Lexington Road Junction Turnpike Company.

3. An act to amend an act, entitled "An act to incorporate the Covington Street Railway Company."

4. An act to amend an act, entitled "An act to incorporate the Mississippi River Levee Company," approved January 30, 1872.

5. An act in aid of the construction of a levee on the Mississippi River, in Fulton county.

6. An act to amend an act, entitled "An act to charter the Crab Orchard and Crew's Knob Turnpike Company," approved March 6th, 1850.

7. An act to amend the charter of the Commonwealth Insurance Company, of Kentucky.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st to the Committee on Revised Statutes and Codes of Practice; the 2d, 4th, 5th, and 6th to the Committee on Internal Improvement; the 3d to the Committee on Railroads, and the 7th to the Committee on Banks and Insurance.

A message was received from the House of Representatives, announcing that they had adopted a resolution, entitled

Resolution directing the Auditor to draw his warrant on the Treasury for sundry sums of money.

Which was referred to the Committee on Claims.

A message was also received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz:

An act to amend the town charter of New Market, in Marion county.

An act for the benefit of school district No. 26, in Ohio county.

An act giving the trustees of the common school district in Catlettsburg the right to levy a tax for two years to build a schoolhouse in said district.

An act for the benefit of Mary W. Livingston, of Rockcastle county.

An act for the benefit of common schools in Kentucky.

An act to supply public books for Kenton and Campbell counties.

An act for the benefit of school district No. 16, in Fulton county.

An act to amend an act, entitled "An act to cause good schoolhouses to be erected in the Eighth and Ninth Congressional Districts."

An act to amend the charter of the town of Franklin.

An act to provide for the redistricting of the school districts of the county of Campbell.

An act for the benefit of Farish Arnett, of Magoffin county.

An act for the benefit of J. M. Forgy, school commissioner of Butler county.

An act authorizing the trustees of common school district No. 4, in McCracken county, to levy and collect a tax for the erection of school buildings.

An act for the benefit of Jno. P. Barrett, sheriff of Ohio county, and his securities.

An act to charter the Eddyville Male and Female Academy, in Lyon county.

An act to incorporate the Contracting and Building Company, for the purpose of building, and aiding in building, railroads, bridges, and telegraph lines.

An act to incorporate the Danville and Nashville Railroad Company.

An act to authorize J. D. Cumbie to change the direction of the State road running through his land, in Todd county.

An act to incorporate the Salt River College.

An act to repeal the charter of the Providence Mining, Manufacturing, and Shipping Company.

An act for the benefit of Geo. W. McClure, coroner of Rockcastle county.

An act to amend an act, entitled "An act to establish a graded school at St. James College, in Shelbyville, Shelby county."

Resolution directing the remains of the late Governor Adair to be reinterred in the Frankfort cemetery, and to erect monuments over the graves of Governors Adair and Breathitt.

A message was received from the Governor by Mr. Botts, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to amend an act, entitled "An act to amend the charter of Hartford," approved March 2d, 1867.

An act to release persons heretofore required to work out their road tax on the Murphysville road, in Mason county, therefrom.

An act to amend an act, entitled "An act to repeal the charter and reincorporate the town of Elizabethtown."

An act to amend an act, entitled "An act to incorporate the town of Brownsville, in Edmonson county," approved February 15th, 1860.

An act to amend and reduce into one the several acts relating to the Preachers' Aid Society of the Louisville Annual Conference of the Methodist Episcopal Church, South.

The following bills were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Dorman, from the Committee on Claims—

A bill for the benefit of Wm. Bellis, jailer of Estill county.

By same—

A bill for the benefit of James Walters, committee of Polly Plewman, an idiot of Estill county.

By same—

A bill for the benefit of A. J. Raney, committee of Lurany King and Susan King, idiots, of Estill county.

By Mr. Pope, from the Committee on Banks and Insurance—

A bill to amend an act to amend an act, entitled "An act for the incorporation and regulation of Fire, Marine, Health, Accident, Live Stock, and all other, except Life Insurance Companies," approved March 12th, 1870.

By Mr. Gilbert, from the Committee on Courts of Justice—

A bill for the benefit of Boone county.

By Mr. J. W. Johnson, from the Committee on Education—

A bill for the benefit of school district No. 41, in Green county.

By Mr. Martin, from the Committee on Education—

A bill to amend an act to organize and establish a system of public schools in the city of Henderson.

By same—

A bill for the benefit of common school district No. 50, in Mason county.

By Mr. Darby, from the Committee on Courts of Justice—

A bill to provide for indexing deed books in Caldwell county.

By Mr. Martin, from the Committee on Education—

A bill for the benefit of school district No. 2, in Menifee county.

By Mr. Conklin, from the Committee on Finance—

A bill for the benefit of John T. Ratcliff and Samuel P. Ratcliff, of Carter county.

By same—

A bill for the benefit of Allen Jones, late sheriff of Pulaski county.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Hale, from the Committee on Finance, reported a bill, entitled

A bill for the benefit of the land-owners and tax-payers of Carter county.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Mr. Gatewood then moved to recommit said bill to the Committee on Finance.

Which motion was rejected.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Webb, from the Committee on Agriculture and Manufactures, to whom had been referred the amendment proposed by the House of Representatives to a bill, which originated in the Senate, entitled

An act for the protection of sheep in the counties of Nicholas, Gallatin, and Fleming,

Reported the same, with the expression of opinion that said amendment should be concurred in.

And the question being taken on concurring in said amendment, it was decided in the affirmative.

Mr. Webb, from the Committee on Agriculture and Manufactures, reported a bill, entitled

A bill to incorporate the Kentucky Tobacco Commission and Mining Company.

Which bill was read the first time, and ordered to be read a second time.

Said bill was read a second time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That a company is hereby incorporated to be called the "Kentucky Tobacco Commission and Mining Company," and under that name shall have perpetual succession, with power to contract and be contracted with, sue and be sued, plead and be impleaded, answer and defend, in all courts of this Commonwealth and elsewhere; and

may make by-laws, rules and regulations, necessary for the direction, management, and control of the property, business, and affairs of said company; may have and use a common seal, and exercise all the other powers which an individual may lawfully do or perform about the business hereinafter authorized.

§ 2. That said company shall have power and authority to elect or appoint any one or more of its members, or other person or persons, as officers and agents to manage, superintend, and direct the business and property of said company generally, or in the several departments thereof; and shall prescribe their terms of service, duties, responsibilities, and compensation in the by-laws or regulations.

§ 3. That the capital stock of said company shall be the amount subscribed, which shall not exceed one hundred thousand dollars; and the said capital stock shall be divided into shares of one hundred dollars each, which may be subscribed and paid for in money, bonds, property, or other securities, in such manner as may be determined on by said company in the by-laws; such shares shall be personal property, and may be transferred in such manner as the by-laws shall direct; but said company shall hold a lien on the shares of any stockholder who may be indebted to it for unpaid stock or otherwise; and such shares shall not be sold or transferred until such debt is paid or secured to be paid satisfactorily to said company.

§ 4. That E. D. Standeford, Jno. W. Johnson, and Clinton Griffith, be, and are hereby, appointed commissioners, any one or more of whom may act, to open books for subscriptions of stock; and when an amount is subscribed which, in the opinion of the commissioner or commissioners aforesaid, is deemed sufficient to organize said company and commence operations, the commissioners or commissioner, who may have opened said books, shall call a meeting of the subscribers, and said company may organize and proceed to the transaction of the business, or any part thereof, hereinafter named; and said stockholders shall adopt suitable by-laws and regulations for the management and control of the business of said company, and shall proceed to elect such officers as the by-laws shall require, which officers shall hold their offices for one year, and until their successors are elected or appointed. In the election of officers and the transaction of any business among the stockholders, each person shall be entitled to one vote for each share of stock held by him, which may be cast in person or by written proxy.

§ 5. A majority in interest of the stockholders shall, upon the organization of the company, make all necessary by-laws, rules and regulations, for the government of said corporation and the transaction of its business; and shall intrust its subsequent control to the managers or directors elected from year to year by the stockholders; said managers or directors shall have the power to alter, amend, or repeal the by-laws, as the interest of the corporation may, from time to time, require.

§ 6. The said company shall have the power to manufacture tobacco or deal in leaf, strips, and manufactured tobacco generally, for said corporation or for others, and transact a general produce, mercantile, and commission business, and shall have all the rights which

an individual could have in the transaction of any or all of said branches of business; and to this end may purchase, lease, and hold real estate, and make such improvements thereon as may be necessary for said several branches of business, or any of them; may sell and convey such property, or any part thereof, or any other property, real or personal, which may be acquired, as the interest of said company may demand; said company may also issue bonds, to an amount not exceeding fifty thousand dollars, with ten per cent. interest coupons attached, and mortgage any part or all of its real or personal property to secure the payment of the same; said bonds shall be made payable in not exceeding twenty years from their date, and the interest shall be made payable semi-annually.

§ 7. That the principal affairs and business of said company shall be in the city of Louisville, but branches may be established at such other points or localities as the interest of the company may require, in this State or elsewhere. The stockholders shall not be responsible for the liabilities of said corporation beyond the amount of stock subscribed.

§ 8. That said corporation shall have the power, and is hereby authorized, to establish a fund of not exceeding fifteen per cent. of its net annual profits, which may be loaned from time to time by taking, in all cases, good and sufficient security for the repayment of the same, which fund may be used for the purpose of meeting contingencies; and if, at any time during the existence of said company, said fund should accumulate to the amount of thirty thousand dollars or more, in that event, by the vote of a majority in interest of the stockholders, the said fund may be invested in mining privileges and mineral lands in the State of Kentucky; and for this purpose said company shall then have the power to open books for additional subscriptions of stock, to the amount of one hundred thousand dollars; and may purchase, acquire, and hold such real estate as may be necessary or convenient for said business; and shall have power to dig, bore, mine, or any way search for coal, oil, iron, or other minerals, and acquire the right of way, by purchase or condemnation, for locating or constructing roads or passways to or from any of the works or mines of said company, as now provided by law: *Provided, however*, That no land, or the use thereof, or the right of way thereon, shall be taken, under condemnation by said company, until the value thereof, as assessed in the county court where the land lies, shall be paid to the owners thereof.

§ 9. This charter shall continue for fifty years; the Legislature, however, reserves the right to alter, amend, or repeal the same at pleasure.

§ 10. This act shall take effect from its passage.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Hawes and Wrightson, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	Wm. P. Duvall,	William Johnson,
Robert Boyd,	W. W. Frazer,	A. L. Martin,
R. A. Burton,	John J. Gatewood,	Alfred T. Pope,
W. H. Chelf,	Jesse C. Gilbert,	K. F. Prichard,
James F. Clay,	D. R. Haggard,	A. G. Talbott,
Wm. L. Conklin,	H. S. Hale,	W. L. Vories,
G. W. Connor,	G. A. C. Holt,	Ben. J. Webb—23.
J. H. Dorman,	John W. Johnson,	

Those who voted in the negative, were—

F. W. Darby,	Edwin Hawes,	A. L. McAfee—4.
Thomas F. Hargis,		

Resolved, That the title of said bill be as aforesaid.

Mr. Barlow, from the Committee on Claims, to whom was referred leave to bring in a bill, entitled

A bill for the benefit of James H. Graham,

Asked to be discharged from the further consideration of the leave.

Which was granted.

Mr. Barlow, from the Committee on Claims, to whom had been referred a resolution, which originated in the House of Representatives, entitled

Resolution for the benefit of B. E. Woodworth,

Reported the same with an amendment.

On motion of Mr. Prichard,

Ordered, That the further consideration of said resolution be postponed until to-morrow.

Mr. Barlow, from the Committee on Claims, reported a bill, entitled

A bill to amend section 2, article 2, chapter 48, of the Revised Statutes.

Which bill was read the first time and ordered to be read a second time.

Said bill was read a second time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That section 2, article 2, chapter 48, of the Revised Statutes, title "Idiots and Lunatics," is hereby amended to read as follows, to-wit: Nor shall the amount thus drawn exceed the sum of one hundred dollars for each idiot in any one year, and, according to that rate, for a less time.

§ 2. This act shall be in force from its passage.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	William P. Duvall,	Wm. Johnson,
Robert Boyd,	W. W. Frazer,	A. L. Martin,
R. A. Burton,	John J. Gatewood,	A. L. McAfee,
W. H. Chelf,	Jesse C. Gilbert,	O. D. McManama,
James F. Clay,	D. R. Haggard,	Alfred T. Pope,
Harrison Cockrill,	H. S. Hale,	K. F. Prichard,
Wm. L. Conklin,	Thomas F. Hargis,	A. G. Talbott,
G. W. Connor,	Elwin Hawes,	W. L. Vories,
John E. Cooper,	G. A. C. Holt,	Ben. J. Webb,
F. W. Darby,	John W. Johnson,	Thos. Wrightson—31.
J. H. Dorman,		

In the negative—none.

Resolved, That the title of said bill be as aforesaid.

Mr. Conklin, from the Committee on Finance, to whom had been referred leave to bring in a bill, entitled

A bill for the benefit of certain late sheriffs of this Commonwealth,

Asked to be discharged from the further consideration thereof.

Which was granted.

Mr. Conklin, from the Committee on Finance, to whom had been referred a resolution, which originated in the House of Representatives, entitled

Resolution providing for the purchase of a library for the Kentucky Penitentiary,

Reported the same, with the expression of opinion that said resolution should not be concurred in.

Mr. Haggard then moved to refer said resolution to the Committee on Education.

Which motion was rejected.

Mr. Cooper then moved to commit said resolution to the Committee on Penitentiary and House of Reform.

Which motion was adopted.

Mr. Pope offered the following resolution, viz:

Resolved, That on and after Monday next the Senate will adjourn at one o'clock, P. M., convene again at three o'clock, and adjourn at five o'clock, P. M.

Mr. Hale moved to amend said resolution by inserting "will meet at nine o'clock, A. M."

Mr. McManama moved that the further consideration of said resolution and proposed amendment be postponed until to-morrow at half-past ten o'clock, A. M.

Which motion was adopted.

Mr. Burton, from the Committee on Finance, reported a bill, entitled

A bill for the benefit of Wilson Morgan, sheriff of Clay county.

Which bill was read the first time and ordered to be read a second time.

Said bill was read a second time as follows, viz:

WHEREAS, Wilson Morgan, of Clay county, was ordered to convey Mat. D. Swanson, Wm. E. Walker, and Wm. Hornsby, from the jail of Clay county to the Penitentiary in Frankfort, they being convicted for felony, and said Morgan was allowed five guards to guard said prisoners; and whereas, said Morgan paid most of the expenses of said trip, and owes some of the revenue of said Clay county for the year 1871, and has paid all the guards their full claims; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts is hereby directed to give said Morgan credit on his revenue bond for the year 1871 the following amount, to-wit: For Wilson Morgan, sheriff of Clay county, $96 45; John D. Coldiron, guard, $25 26; H. S. Powell, guard, $25 26; J. G. Morgan, guard, $25 26; W. S. Morgan, guard, $25 26; Farris Marwin, guard, $25 26; making in all two hundred and sixty-two dollars and seventy-five cents; and the credit so given to said Morgan on his official bond shall be construed as liquidating and paying all the claims herein itemized.

§ 2. This act shall be in force from and after its passage.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	William P. Duvall,	John W. Johnson,
Robert Boyd,	W. McKee Fox,	William Johnson,
R. A. Burton,	W. W. Frazer,	A. L. Martin,
W. H. Chelf,	John J. Gatewood,	O. D. McManama,
James F. Clay,	Jesse C. Gilbert,	Alfred T. Pope,
Wm. L. Conklin,	D. R. Haggard,	K. F. Prichard,
G. W. Connor,	H. S. Hale,	A. G. Talbott,
John E. Cooper,	Thomas F. Hargis,	W. L. Vories,

F. W. Darby, Edwin Hawes, Thos. Wrightson—28.
J. H. Dorman,

In the negative—none.

Resolved, That the title of said bill be as aforesaid.

Mr. Webb, from the Committee on Agriculture and Manufactures, reported a bill, entitled

A bill to incorporate the Kentucky Agricultural and Mechanical Association at Lexington.

Ordered, That said bill be made the special order of the day for Tuesday, the 12th inst.

Mr. Conklin, from the Committee on Finance, to whom had been referred a bill, which originated in the House of Representatives, entitled

An act for the benefit of James Turner, late sheriff of Perry county,

Reported the same, with the expression of opinion that said bill ought not to pass.

And the question being taken on ordering said bill to be read a third time, the opinion of the committee to the contrary notwithstanding, it was decided in the negative.

So said bill was disagreed to.

Mr. Conklin, from the Committee on Finance, to whom had been referred a bill, which originated in the House of Representatives, entitled

An act for the benefit of E. G. Davidson,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz :

[*For bill—see Session Acts present session.*]

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

John S. Barlow,	J. H. Dorman,	Edwin Hawes,
Robert Boyd,	William P. Duvall,	G. A. C. Holt,
R. A. Burton,	W. McKee Fox,	John W. Johnson,
W. H. Chelf,	W. W. Frazer,	William Johnson,
James F. Clay,	John J. Gatewood,	A. L. Martin,
Harrison Cockrill,	Jesse C. Gilbert,	Alfred T. Pope,
Wm. L. Conklin,	D. R. Haggard,	K. F. Prichard,

77—s.

G. W. Connor,	H. S. Hale,	A. G. Talbott,
John E. Cooper,	Thomas F. Hargis,	Ben. J. Webb—28.
F. W. Darby,		

In the negative—none.

Resolved, That the title of said bill be as aforesaid.

Mr. Conklin, from the Committee on Finance, to whom had been referred a bill, which originated in the House of Representatives, entitled

An act for the benefit of C. G. Beard, of Clinton county,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

[*For bill—see Session Acts present session.*]

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	J. H. Dorman,	John W. Johnson,
R. A. Burton,	Wm. P. Duvall,	William Johnson,
W. H. Chelf,	W. McKee Fox,	A. L. Martin,
James F. Clay,	W. W. Frazer,	A. L. McAfee,
Harrison Cockrill,	John J. Gatewood,	Alfred T. Pope,
Wm. L. Conklin,	Jesse C. Gilbert,	K. F. Prichard,
G. W. Connor,	D. R. Haggard,	A. G. Talbott,
John E. Cooper,	H. S. Hale,	Ben. J. Webb,
F. W. Darby,	Thomas F. Hargis,	Thos. Wrightson—27.

In the negative, Edwin Hawes—1.

Resolved, That the title of said bill be as aforesaid.

Mr. Hargis, from the joint committee appointed for the purpose of withdrawing from the Governor a bill, which originated in the House of Representative, entitled

An act to incorporate the Maysville, Flemingsburg, Coal and Iron Region Railway Company,

Reported that the Committee had discharged the duty assigned them, and handed in the bill at the Clerk's desk.

Said bill was then taken up, and, on motion, the votes by which said bill had passed, the third reading dispensed with, and ordering said bill to be read a third time, were reconsidered.

Mr. Hargis then moved to amend said bill as follows, viz:

Section eighteen, line eight, strike out the word "those," and insert the words "the legally qualified voters of said county."

Which was adopted.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Webb, from the Committee on Agriculture and Manufactures—

An act to amend the charter of the Kentucky Association for the Improvement of the Breed of Stock.

By same—

An act to amend the charter of the St. Bernard Coal Company.

By same—

An act to amend an act for the protection of sheep in this Commonwealth, approved January 31st, 1865.

By same—

An act to incorporate the Bear Creek Navigation, Mining, and Manufacturing Company.

By same—

An act to prevent the destruction of fish in the Kentucky river and its tributaries.

By Mr. Gatewood, from the Committee on Education—

An act exempting the property now occupied by N. F. Smith, in Harrison county, for school purposes, from taxation.

By same—

An act appointing trustees for Williamstown Cemetery, in Grant county.

By same—

An act to amend an act, entitled "An act to organize and establish a system of public schools in the city of Owensboro for white children in said city," approved March 13th, 1871.

By Mr. Frazer, from the Committee on Education—

An act for the benefit of Green V. Holland.

By same—

An act to organize and establish a system of public schools in the city of Hopkinsville, for white children in said city.

By same—

An act to incorporate Proctor Male and Female Seminary, in Lee county.

By same—

An act for the benefit of school district No. 38, in Trigg county.

By same—

An act for the benefit of school district No. 19, of Hancock county.

By same—

An act for the benefit of B. L. Carr.

By same—

An act to establish an institution of learning in the town of Hardinsville, in Shelby county, to be known as the Lee Academy.

By same—

An act to repeal an act passed 10th of March, 1854, granting the trustees of the Dover Seminary power to control the public school fund of school district No. 2, in Mason county.

By same—

An act for the benefit of the Fleming County Seminary.

By same—

An act for the benefit of James Vinson and others, in Hardin county.

By same—

An act for the benefit of Jesse K. Howard, school commissioner of Elliott county.

By Mr. J. W. Johnson, from the Committee on Education—

An act to amend an act, entitled "An act to reduce into one the several acts regulating the Butler Seminary."

By same—

An act to amend an act, entitled "An act to cause good school houses to be erected in the Eighth and Ninth Congressional Districts," approved March 10th, 1871.

By Mr. Conklin, from the Committee on Finance—

An act for the benefit of James M. Eifort.

By same—

An act for the benefit of John G. Johns, of Floyd county.

By Mr. Hale, from the Committee on Education—

An act for the benefit of James B. Wiley, of McCracken county.

By Mr. Barlow, from the Committee on Claims—

An act for the benefit of A. H. Calvin, of Fayette county.

By Mr. Gatewood, from the Committee on Education—

An act empowering the trustees of common schools in Campbell county to levy taxes for the purpose of buying lands, building, repairing, and furnishing school-houses.

By Mr. Darby, from the Committee on Courts of Justice—

An act to change the time of holding the Barren circuit court.

With amendments to the last three named bills.

Which were adopted.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Cooper, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act to incorporate the Hopkinsville Gas and Mining Company;

An act to incorporate the Green River Lock and Dam Company;

An act for the benefit of Wm. Day, of Breathitt county;

An act to incorporate the Catnip Hill Turnpike Road Company, in Jessamine county;

An act to amend the charter of Big Sandy Navigation and Manufacturing Company;

An act to amend the charter of the town of Owenton;

An act to incorporate the Eagle Creek, Dallasburg, and Bethel Turnpike Road Company;

An act to exempt footmen from bridge toll;

An act to incorporate the Southside Turnpike Road Company;

An act to incorporate the Carrsville Silver and Lead Mining Company;

An act to incorporate the Newport Gas-light and Fuel Company;

An act to amend the charter of the Paducah and Illinois Bridge Company;

An act to incorporate the Smithfield and Pendleton Turnpike or Gravel Road Company;

An act to amend the charter of the Ballardsville and Christiansburg Turnpike Road Company;

An act to amend the charter of the Carroll, Owen, Gallatin, and Eagle Bridge Company;

An act to amend an act, entitled "An act to revise, digest, and compile the statute laws and Codes of Practice of Kentucky," approved March 10th, 1871;

An act allowing David Pryse, Z. T. Martin, and James M. Beatty to construct wharves at their respective landings at Beattyville;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Cooper reported that the committee had performed that duty.

Leave was given to bring in the following bills, viz:

On motion of Mr. Pope—

1. A bill to incorporate the Christian Church Widows' and Orphans' Home, of Louisville.

On motion of Mr. McAfee—

2. A bill for the benefit of the Kentucky Central Railroad Company and the Elizabethtown, Lexington, and Big Sandy Railroad Company.

On motion of Mr. Gilbert—

3. A bill for the benefit of Thos. D. Grundy, sheriff of McCracken county.

On motion of Mr. Holt—

4. A bill to amend an act, entitled "An act directing the purchase of Collins' Historical Sketches of Kentucky."

On motion of Mr. Gilbert—

5. A bill to amend the charter of the Paducah, Benton, and Murray Gravel Road Company.

On motion of Mr. Gatewood—

6. A bill to amend an act, entitled "An act to incorporate the Bowling Green and Madisonville Railroad Company," approved March 22, 1871.

On motion of Mr. Hawes—

7. A bill to confer upon farmers and other persons engaged in agricultural pursuits all the rights and privileges now conferred by law on all the corporations of this Commonwealth.

Ordered, That the Committee on the Judiciary prepare and bring in the 1st; the Committee on Railroads the 2d and 6th; the Com-

mittee on Finance the 3d; the Committee on Courts of Justice the 4th; a select committee, consisting of Messrs. Gilbert, Holt, and Hale, the 5th, and the Committee on Agriculture and Manufactures the 7th.

And then the Senate adjourned.

SATURDAY, MARCH 9, 1872.

A message was received from the House of Representatives, announcing their concurrence in an amendment proposed by the Senate to a bill, which originated in the House of Representatives, entitled

An act to prohibit the granting of license to retail spirituous, vinous, or malt liquors in the county of Crittenden.

That they had passed bills, which originated in the Senate, of the following titles, viz:

An act to repeal all laws heretofore passed declaring Russell's creek, in Green county, a navigable stream.

An act to authorize T. D. Marcum and Martin H. Johns to erect a boom across Wolf creek, in Martin county.

An act to amend the charter of the Carlisle and Jackstown Turnpike Road Company, in Nicholas county.

An act to prohibit the sale of spirituous, vinous, and malt liquors within the Crittenden magistrates' district, in Grant county.

That they had passed bills of the following titles, viz:

1. An act for the benefit of Henry C. Lucas, of Russell county.

2. An act for the benefit of Sulphur Well Branch of the Nicholasville and Kentucky River Turnpike Road Company.

3. An act to amend the charter of the Cloverport and Hardinsburg Turnpike Road Company, in Breckinridge county.

4. An act to protect the navigation of Beech Fork of Salt river, in Nelson county.

5. An act to amend an act, entitled "An act to charter the Hustonville and McKinney's Station Turnpike Road Company."

6. An act to amend the charter of the Hanging Fork and Green River Turnpike Road Company.

7. An act to change the time of electing the officers of the Madison County Stock, Agricultural, and Mechanical Association.

8. An act to incorporate the New Castle and Gray Farm Turnpike Road Company.

9. An act to incorporate the Harrodsburg and Chaplin River Turnpike Road Company.

10. An act to incorporate the Steele's Turnpike Road Company.

11. An act to amend the charter of the Stanford and Milledgeville Turnpike Road Company.

12. An act to amend an act to incorporate the Eminence and Smithfield Turnpike Road Company.

13. An act to incorporate the Paducah and Hinkleville Gravel Road Company.

14. An act to incorporate the Paducah and Mayfield Gravel Road Company.

15. An act for the benefit of citizens of Garrard county.

16. An act to amend the charter of the Fisherville and Buck Creek Turnpike Company.

17. An act to amend an act to incorporate the Shelbyville and Burk's Branch Turnpike Road Company.

18. An act to amend the charter of the Flat Rock and Floyd's Fork Turnpike Road Company.

19. An act to amend the charter of the Fox Run and Lagrange Turnpike Road Company, in Shelby county.

20. An act to amend the charter of the Simpsonville and Buck Creek Turnpike Road Company, in Shelby county.

21. An act to incorporate the Kingston and Boone's Gap Turnpike Road Company, in Madison county.

22. An act for the benefit of the Orangeburg and Tollsboro Turnpike Road Company, in Mason county.

23. An act for the benefit of the Germantown and North Fork Turnpike Road Company, in Mason county.

24. An act to amend the charter of the Ghent and Eagle Creek Turnpike Road Company.

25. An act to charter the Mouth of Drennon and Turner's Station Turnpike Road Company.

26. An act to charter the Lockport and Bethlehem Turnpike Road Company.

27. An act to incorporate the Bardstown and Fairfield Turnpike Road Company.

28. An act to regulate the rates of toll on the Germantown and Bridgeville Turnpike Road.

29. An act prohibiting the sale of ardent, malt, vinous, or spirituous liquors in Webster county.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st to the Committee on the Judiciary; the 7th to the Committee on Agriculture and Manufactures; the 29th to the Committee on Religion and Morals, and all the others to the Committee on Internal Improvement.

A message was also received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend the charter of the Lexington Library.

An act allowing the citizens of the incorporated town of Stephensport to vote for or against the sale of spirituous, vinous, or malt liquors in said town.

An act to prevent the destruction of fish in Cumberland and Tennessee rivers, and their tributaries.

An act to define the meaning of the word "creditor," as used in the Revised Statutes and Civil Code of Practice, and in the acts amendatory thereof.

An act to amend an act incorporating College Street Presbyterian Church, of Louisville.

An act for the benefit of Samuel Biggerstaff, of Madison county.

An act to amend an act, entitled "An act for the benefit of the citizens of Jackson county, in relation to the Wilderness Turnpike Road."

An act to prohibit the drawing of seines or fish-nets from the mouth of Paint Lick creek to the mouth of Back creek

An act for the benefit of Merrell Hardin.

An act for the benefit of George W. Brown, of Letcher county.

An act to authorize Lorenzo Dow Clark, sr., to erect a mill-dam across Big Mud creek, in Floyd county.

An act to amend an act, entitled "An act to protect small game in Lewis county, and to amend the amendments thereto."

7. An act to change the time of electing the officers of the Madison County Stock, Agricultural, and Mechanical Association.

8. An act to incorporate the New Castle and Gray Farm Turnpike Road Company.

9. An act to incorporate the Harrodsburg and Chaplin River Turnpike Road Company.

10. An act to incorporate the Steele's Turnpike Road Company.

11. An act to amend the charter of the Stanford and Milledgeville Turnpike Road Company.

12. An act to amend an act to incorporate the Eminence and Smithfield Turnpike Road Company.

13. An act to incorporate the Paducah and Hinkleville Gravel Road Company.

14. An act to incorporate the Paducah and Mayfield Gravel Road Company.

15. An act for the benefit of citizens of Garrard county.

16. An act to amend the charter of the Fisherville and Buck Creek Turnpike Company.

17. An act to amend an act to incorporate the Shelbyville and Burk's Branch Turnpike Road Company.

18. An act to amend the charter of the Flat Rock and Floyd's Fork Turnpike Road Company.

19. An act to amend the charter of the Fox Run and Lagrange Turnpike Road Company, in Shelby county.

20. An act to amend the charter of the Simpsonville and Buck Creek Turnpike Road Company, in Shelby county.

21. An act to incorporate the Kingston and Boone's Gap Turnpike Road Company, in Madison county.

22. An act for the benefit of the Orangeburg and Tollsboro Turnpike Road Company, in Mason county.

23. An act for the benefit of the Germantown and North Fork Turnpike Road Company, in Mason county.

24. An act to amend the charter of the Ghent and Eagle Creek Turnpike Road Company.

25. An act to charter the Mouth of Drennon and Turner's Station Turnpike Road Company.

26. An act to charter the Lockport and Bethlehem Turnpike Road Company.

27. An act to incorporate the Bardstown and Fairfield Turnpike Road Company.

28. An act to regulate the rates of toll on the Germantown and Bridgeville Turnpike Road.

29. An act prohibiting the sale of ardent, malt, vinous, or spirituous liquors in Webster county.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st to the Committee on the Judiciary; the 7th to the Committee on Agriculture and Manufactures; the 29th to the Committee on Religion and Morals, and all the others to the Committee on Internal Improvement.

A message was also received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend the charter of the Lexington Library.

An act allowing the citizens of the incorporated town of Stephensport to vote for or against the sale of spirituous, vinous, or malt liquors in said town.

An act to prevent the destruction of fish in Cumberland and Tennessee rivers, and their tributaries.

An act to define the meaning of the word "creditor," as used in the Revised Statutes and Civil Code of Practice, and in the acts amendatory thereof.

An act to amend an act incorporating College Street Presbyterian Church, of Louisville.

An act for the benefit of Samuel Biggerstaff, of Madison county.

An act to amend an act, entitled "An act for the benefit of the citizens of Jackson county, in relation to the Wilderness Turnpike Road."

An act to prohibit the drawing of seines or fish-nets from the mouth of Paint Lick creek to the mouth of Back creek

An act for the benefit of Merrell Hardin.

An act for the benefit of George W. Brown, of Letcher county.

An act to authorize Lorenzo Dow Clark, sr., to erect a mill-dam across Big Mud creek, in Floyd county.

An act to amend an act, entitled "An act to protect small game in Lewis county, and to amend the amendments thereto."

An act to prohibit the sale of spirituous liquors at retail in the Peak's Mill voting precinct, in Franklin county.

An act to prevent the sale of spirituous liquors within one mile of East Hickman Baptist Church, in Fayette county.

An act for the benefit of Gilead Presbyterian Church, in Bath county.

An act to prohibit the sale of ardent spirits in Morgan county.

An act to incorporate the district of Hayfield, in Campbell county.

That they had passed a bill, entitled

An act to amend an act, entitled "An act to amend the charter of the Owensboro and Russellville Railroad," approved January 22, 1872.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A message was received from the Governor by Mr. Botts, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act for the benefit of the Middleburg and Liberty Turnpike Road Company.

An act to incorporate the Pewee Valley Cemetery Company.

An act to incorporate the Owenton and Twin Creek Turnpike Road Company.

An act to incorporate the Benevolent Society in the city of Paducah.

An act to amend an act, entitled "An act to amend the charter of the American Printing House for the Blind," approved April 3d, 1861.

An act to incorporate the Woodland Market-house Company, of Louisville.

An act to re-enact and amend an act, entitled "An act to incorporate the town of Carrsville, in Livingston county."

An act to incorporate Barlow City, in Ballard county.

An act to amend the charter of the city of Henderson.

An act for the benefit of the Tuckyhoe Ridge Turnpike Road Company, in Mason county.

An act to amend an act, entitled "An act further to amend the acts in relation to Elizabethtown and to extend its bounds," approved March 11, 1869.

An act to amend an act, entitled "An act to amend the charter of the town of Elizabethtown."

An act to amend an act, entitled "An act to amend and reduce into one the several acts in reference to the town of Princeton."

An act to amend the charter of the Louisville and Shepherdsville Turnpike Road Company.

The following bills were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Duvall, from the Committee on Internal Improvement—

1. A bill to amend the turnpike laws of Henry county.

By Mr. Hargis, from the Committee on the Judiciary—

2. A bill to amend an act, entitled "An act to incorporate the Licking River Lumber and Mining Company," approved January 25th, 1868.

By same—

3. A bill concerning the advertisement of sheriffs' and commissioners' sales of real estate in the counties of Montgomery and Clark.

By Mr. Pope, from the Committee on the Judiciary—

4. A bill to amend an act, entitled "An act to provide for the organization and regulation of incorporated companies, except banking, insurance, and railroad companies," approved March 15, 1870.

By Mr. Prichard, from the Committee on the Judiciary—

5. A bill to amend the charter of the city of Maysville.

By Mr. Haggard, from the Committee on Propositions and Grievances—

6. A bill to incorporate the town of Brandenburg, in Meade county

By same—

7. A bill for the benefit of the county court of Meade county.

By same—

8. A bill to provide for the repairing of the Louisville and Nashville Turnpike Road, and to amend the charter thereof.

By same—

9. A bill to amend an act, entitled "An act to transcribe the surveyor's book and record of Cumberland county."

By Mr. Chenoweth, from the Committee on Railroads—

10. A bill to incorporate the Elkton and Guthrie City Railroad Company.

By same—

11. A bill for the benefit of the Kentucky Central Railroad Company and the Elizabethtown, Lexington, and Big Sandy Railroad Company.

By same—

12. A bill to re-enact an act to incorporate the Paducah and Tennessee Railroad Company, approved March 8th, 1854.

By same—

13. A bill to amend the charter of the Frankfort, Paris, and Big Sandy Railroad Company.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, the 4th was ordered to be printed, and made the special order of the day for Tuesday next, the 12th instant, and the rest were ordered to be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Wm. Johnson, from the Committee on the Judiciary—

An act to incorporate the Valley City Town Company;

By same—

An act to permit Nelson Bridges to peddle without license;

By same—

An act to incorporate the Adair Hotel Company;

By same—

An act to regulate and establish the rate of tolls on the Covington and Cincinnati bridge;

By same—

An act to regulate the running of ferries and ferry rates in the city of Covington;

By Mr. Hargis, from the Committee on the Judiciary—

An act to incorporate the St. Louis Cemetery, near Louisville;

By Mr. Pope, from the Committee on the Judiciary—

An act to regulate the mode of executing process issued by the clerk of the Campbell circuit court, and docketing cases in said court;

By same—

An act to incorporate the St. Augustin Cemetery, near Lebanon, in Marion county;

With the expression of opinion that said bills ought not to pass.

And the question being taken on ordering said bills to be read a third time, the opinion of the committee to the contrary notwithstanding, it was decided in the negative.

So said bills were disagreed to.

Mr. Duvall, from the Committee on Internal Improvement, reported a bill, entitled

A bill to incorporate Brawner's Patent Levee Company.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with, it was ordered to be printed, and placed in the orders of the day.

The several committees, to whom had been referred the following petitions, leaves, and remonstrance, viz:

By Mr. Hargis, from the Committee on the Judiciary—

Leave to bring in a bill to incorporate the Minett Orphan Society;

By same—

Leave to bring in a bill to incorporate the Colored Union Aid Society of Kentucky;

By Mr. Prichard, from the Committee on the Judiciary—

The petition of Haly, Mahony & Co., asking the passage of an act for their benefit;

By Mr. Haggard, from the Committee on Propositions and Grievances—

The remonstrance of sundry citizens of Ohio county, against establishing an additional justices' district and voting precinct in said county;

By same—

The petition of sundry citizens of Magoffin county, asking the passage of an act authorizing Wm. Blair to erect a mill-dam across Licking river;

By same—

The petition of sundry citizens of Cynthiana, praying the passage of an act amending the charter of said town;

By Mr. Clay, from the Committee on the Judiciary—

The petition of J. W. Davis, late sheriff of Jefferson county, praying the passage of an act for his benefit;

Asked to be discharged from the further consideration thereof.

Which was granted, and the last named petition was referred to the Committee on Finance.

Mr. Wm. Johnson, from the Committee on the Judiciary, to whom had been referred the amendment proposed by the House of Representatives to a bill, which originated in the Senate, entitled

An act to amend the charter of the town of Lancaster,

Reported the same with an amendment as a substitute for the amendment proposed by the House of Representatives, which was adopted.

Mr. Haggard, from the Committee on Propositions and Grievances, reported a bill, entitled

A bill appropriating one thousand dollars for the purpose of removing obstructions from Rockcastle river, between the mouth of said river and Sublimity Mills.

Which bill was read the first time and ordered to be read a second time.

Said bill was read a second time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the sum of one thousand dollars be, and the same is hereby, appropriated, out of any money in the Public Treasury not otherwise appropriated, for the purpose of removing the obstructions from Rockcastle river, between the mouth of said river and Sublimity Mills; and that C. C. Jackson, C. Pitman, and C. B. Farris, of Laurel county, are hereby appointed commissioners to apply said sum of money to the purpose above named, who shall, before they act in the premises, execute bond, in the Laurel county court, with good and sufficient security, for their faithful performance in applying said money to the purpose above named.

§ 2. That the Auditor of Public Accounts, upon the receipt of a certified copy of the order of the Laurel county court, showing that the said C. C. Jackson, C. Pitman, and C. B. Farris, of Laurel county, have executed the bond required in the first section of this act (together with a copy of the bond), accompanied with the order of said C. C. Jackson, C. Pitman, and C. B. Farris, of Laurel county, shall draw his warrant on the Treasurer for the sum of one thousand dollars, payable to them.

§ 3. That the said Jackson, Pitman, and Farris shall report to the Laurel county court every six months, and oftener if required, the manner in which they have applied the money hereby appropriated; and shall receive one dollar and fifty cents per day, each, as compensation for their services.

§ 4. This act shall be in force from its passage.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative were—

Robert Boyd,	J. H. Dorman,	Wm. Johnson,
W. H. Chelf,	Wm. P. Duvall,	A. L. Martin,
J. Q. Chenoweth,	W. McKee Fox,	A. L. McAfee,
Harrison Cockrill,	John J. Gatewood,	O. D. McManama,
Wm. L. Conklin,	D. R. Haggard,	Alfred T. Pope,
G. W. Connor,	Thomas F. Hargis,	K. F. Prichard,
John E. Cooper,	G. A. C. Holt,	A. G. Talbott,
F. W. Darby,	John W. Johnson,	W. L. Vories—24.

Those who voted in the negative, were—

John S. Barlow,	Jesse C. Gilbert,	Edwin Hawes,
R. A. Burton,	H. S. Hale,	J. B. Haydon—7.
W. W. Frazer,		

Resolved, That the title of said bill be as aforesaid.

Mr. Talbott moved to reconsider the votes by which the Senate had disagreed to the passage of bills from the House of Representatives of the following titles, viz:

An act to regulate and establish the rate of tolls on the Covington and Cincinnati bridge.

An act to regulate the running of ferries and ferry rates in the city of Covington.

Which motion was simply entered.

The Senate took up for consideration a bill, entitled.

A bill to amend chapter 83 of the Revised Statutes, title "Revenue and Taxation."

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That section 13 of article 6, chapter 83, of the Revised Statutes, be so amended as to read: The assessor, or his assistant, shall administer to every person listing property the following oath before proceeding to list the property: "You do swear that the list of taxable estate about to be given in by you will contain a full and complete list, and the best description of the same you can give, of all and every species of property belonging to you or in your possession, subject to taxation on the 10th of January last; and that no removal of property or omission has been made, or any method or device adopted or practiced whereby to evade the payment of taxes

by you; and that you will true and perfect answers make to such questions as may be asked you concerning your taxable estate, or that of others in your possession." If, in the opinion of the assessor or his assistant, there shall be an error in the list of any person's estate listed with him, it shall be his duty to note the same on the tax-book, so as to call the attention of the board of supervisors thereto.

§ 2. That the assessors and their assistants shall, upon the return of their tax-books, take an oath before the judge of the county court that they had admistered, to every person whose list they had taken, the oath prescribed by the first section of this act, except when impracticable to do so, and that with such lists they have returned a note giving the reasons why they failed to administer the oath; which oath shall be certified to the Auditor by the county court clerk. That, until such certificate is filed with the Auditor, the assessor shall not receive any part of his compensation.

§ 3. That section 12 of article 9 of said chapter be so amended as to read: If there be no personal property which the sheriff or tax collector can distrain for taxes due, and the person owing the same shall fail to pay said tax, the sheriff or tax collector may levy on any real estate belonging to such delinquent tax-payer, and sell so much thereof as will pay the taxes due and his commission, in the same manner as lands are sold under execution, except the land need not be valued. The owner of such real estate, his representatives, heirs, or assigns, shall have the right to redeem the same from the purchaser thereof by paying the purchase money, with interest at the rate of ten per cent. per annum, and twenty per cent. damages, at any time within two years from the day of sale. Any minor, married woman, or other person laboring under disability, shall have two years after the removal of the disability in which to make such redemption: *Provided*, That the committee or next friend of a person who is *non compos mentis* shall be allowed only five years from the day of sale, or two years after notice, in writing, by the purchaser, to redeem the same, though such disability shall continue longer. The notice aforesaid shall be returned by the officer executing it to the clerk of the county court, who shall record the same, with the return thereof, in a book to be provided and kept by him, and paid for out of the Treasury. The clerk shall be allowed a fee of twenty-five cents for recording the notice and return. Office copies of said record shall be evidence that the notice was given as authorized by this act. Any person whose land may be sold by virtue of this act may redeem the same within the time herein prescribed by tendering the purchase money, with interest and the damages, to the purchaser or his agent; or if he or his agent refuse to accept the same, or reside out of the county, or is absent therefrom, he may pay the amount to the clerk of the county court, and take his receipt for the same, which shall be a valid payment. It shall be the duty of the sheriff to give the purchaser a certificate of purchase, giving a description of the land purchased, quantity sold, and price for which it sold. It shall also be the duty of the sheriff, or any of his successors, to convey the interest of the delinquent tax-payer in the real estate sold

under the provisions of this act to the purchaser, after the right of redemption shall have expired. That so much of any act or parts of acts as may be in conflict with this act, is hereby repealed.

§ 4 That this act shall take effect from its passage, except so much thereof as relates to assessors, which shall not take effect until the first of June next.

Mr. Gilbert moved to amend said bill as follows, viz:

Add after word "sold," in twenty-eighth line, third section, the following: The sheriff shall return to the county court clerk's office a report, in writing, signed by him, within twenty days after such sale, showing when the sale was made, and to whom, and for what price, and giving a description of the land sold as fully as he is able to do, which report shall be recorded by the county court clerk, in a book to be provided by him for that purpose. And if the land shall be redeemed, as provided for by this act, the purchaser shall enter in the margin of the said book, opposite the report, a release and satisfaction of his claim; or if the redemption money shall be paid to the clerk, he shall enter said release; and the clerk, for all his services, shall be paid twenty-five cents by the purchaser.

Which was adopted.

Mr. Conklin moved to amend said bill as follows, viz:

In section three, line three, after the word "tax," insert "by the first day of November."

Which was adopted.

Mr. Pope then moved to amend said bill as follows, viz:

In section two, line two, insert the word "first" before the word "administered."

Which was adopted.

Mr. Gilbert then moved further to amend said bill as follows, viz:

In section one, line twelve, after the word "possession," add the following: "or about to be listed by you for them.'

Which was adopted.

Ordered, That said bill, as amended, be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The Senate, according to order, took up for consideration a bill, entitled

A bill to regulate the charges of the railroads of this Commonwealth.

On motion,

Ordered, That the further consideration of said bill be postponed to, and made the special order of the day for, Monday, the 11th inst., at 11 o'clock.

The Senate, according to order, took up for consideration the resolution offered by Mr. Pope on yesterday, entitled

Resolution regulating the daily sessions of the Senate,

Together with the amendment proposed by Mr. Hale.

[*For resolution and amendment—see Senate Journal of yesterday*]

The amendment of Mr. Hale was then changed so as to read: "The Senate shall convene at nine and a half o'clock, A. M."

To which amendment sundry other amendments were offered, all of which were rejected.

Said amendment was then adopted.

The question was then taken on the adoption of the resolution, as amended, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Pope and Barlow, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	John E. Cooper,	Edwin Hawes,
Robert Boyd,	W. McKee Fox,	J. B. Haydon,
R. A. Burton,	W. W. Frazer,	John W. Johnson,
W. H. Chelf,	John J. Gatewood,	William Johnson,
James F. Clay,	Jesse C. Gilbert,	A. L. Martin,
Harrison Cockrill,	D. R. Haggard,	Alfred T. Pope,
Wm. L. Conklin,	H. S. Hale,	A. G. Talbott,
G. W. Connor,	Thomas F. Hargis,	W. L. Vories—24.

In the negative, J. H. Dorman—1.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Hale, from the Committee on Finance—

An act for the benefit of David Wortham, of Graves county.

By Mr. Wm. Johnson, from the Committee on the Judiciary—

An act to extend and enlarge the corporate limits of the town of Albany, in Clinton county.

By same—

An act to incorporate the town of Wingo, in Graves county.

By same—

An act to amend the charter of Owensboro.

By same—

An act to amend the charter of the town of Cloverport.

By same—

An act to establish the Highland Park Corporation.

By Mr. Hargis, from the Committee on the Judiciary—

An act to amend an act, entitled "An act incorporating the town of Nebo, in Hopkins county."

By same—

An act to amend an act to amend an act, entitled "An act for the benefit of the sureties of W. B. Simmons, late sheriff of Meade county."

By Mr. Pope, from the Committee on the Judiciary—

An act to extend the boundary of the city of Owensboro.

By same—

An act to change the corporate limits of the town of Springfield, in Washington county.

By same—

An act to re-enact an act, entitled "An act to incorporate the Big Blane Improvement Company," approved January 17th, 1871.

By Mr. Clay, from the Committee on the Judiciary—

An act to amend the charter of the town of Bardstown, in Nelson county.

By same—

An act to re-enact an act, entitled "An act to incorporate the Boyd County Navigation, Manufacturing, and Improvement Company," approved February 8th, 1871.

By Mr. Prichard, from the Committee on the Judiciary—

An act to repeal an act to amend the charter of the city of Paris, approved March 18th, 1870.

By same—

An act to amend the charter of the town of Ashland.

By Mr. Haggard, from the Committee on Propositions and Grievances—

An act to change the name of Greenupsburg to Greenup.

By Mr. Chenoweth, from the Committee on Railroads—

An act to amend the charter of the Citizens' Passenger Railroad, of Louisville.

By same—

An act to incorporate the Newbergh Railway and Real Estate Company.

By Mr. Chelf, from the Committee on Revised Statutes and Codes of Practice—

An act to amend the charter of the town of Upton.

By same—

An act to incorporate the town of Marshall, in Bath county.

By same—

An act to amend an act, entitled "An act to incorporate the town of Morses, in Graves county," approved March 21st, 1871.

By same—

An act to amend the charter of Dixon, in Webster county.

By same—

An act to enlarge the boundaries of the town of Morganfield, in Union county.

By same—

An act to amend the charter of Bryantsville, and further amend an act approved February 14th, 1871.

By same—

An act to amend the charter of the town of Slaughtersville, in Webster county.

By same—

An act to establish the Southern Park Association.

By same—

An act to repeal chapter 853 of the acts approved at the session of 1869-70.

By same—

An act to amend and reduce into one the several acts incorporating the town of Milburn, in Ballard county.

By same—

An act to amend section 2, article 5, chapter 32, of the Revised Statutes.

By Mr. Duvall, from the Committee on Internal Improvement—

An act for the benefit of the New Liberty and Owenton Turnpike Road Company.

By Mr. Wm. Johnson, from the Committee on the Judiciary—

An act to incorporate the town of Paintsville.

By Mr. Hargis, from the Committee on the Judiciary—

An act to incorporate the Bourbon Female College.

By same—

An act to regulate official sales in Woodford county.

By Mr. Pope, from the Committee on the Judiciary—

An act to amend the charter of the town of Hustonville, and amendments thereto.

By same—

An act to incorporate the Louisville Iron and Steel Rail Company.

By Mr. Clay, from the Committee on the Judiciary—

An act to amend an act, entitled "An act to incorporate the town of Corydon, in the county of Henderson," approved February 15th, 1868.

By same—

An act to incorporate the Scuffletown Fence Company.

By Mr. Prichard, from the Committee on the Judiciary—

An act to incorporate the Louisville Stock and Bond Board.

By Mr. Haggard, from the Committee on Propositions and Grievances—

An act to allow the citizens of Henry county to vote upon the question of the removal of the county seat from New Castle.

By Mr. Chelf, from the Committee on Revised Statutes and Codes of Practice—

An act to amend the charter of the town of Curdsville, in Daviess county.

With amendments to the last eleven named bills.

Which were adopted.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Cooper, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act to amend the charter of the New Castle and Eminence Turnpike Road;

An act for the benefit of the Murphysville Turnpike Road Company in Mason county;

An act for the protection of sheep in the counties of Nicholas, Gallatin, and Fleming;

An act for the benefit of persons who have entered and surveyed vacant lands in the counties of Lawrence, Carter, Floyd, Pike, Perry, Clay, Josh Bell, Johnson, and Letcher, in this Commonwealth;

An act to repeal an act, entitled "An act to create a Board of Commissioners of the Sinking Fund of Pendleton county, and the amendments thereto;"

And enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to prohibit the granting of license to retail spirituous, vinous, or malt liquors in the county of Crittenden;

An act to incorporate the Maysville, Flemingsburg, Coal and Iron Region Railway Company;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Cooper reported that the committee had performed that duty.

And then the Senate adjourned.

MONDAY, MARCH 11, 1872.

A message was received from the House of Representatives announcing their concurrence in an amendment proposed by the Senate to an amendment proposed by the House of Representatives to a bill, which originated in the Senate, entitled

An act to amend the charter of the town of Lancaster.

That they had concurred in the amendments proposed by the Senate to bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend and reduce into one the several acts incorporating the town of Blandville, in Ballard county.

An act to reduce the salary of the gate-keepers on the Wilderness Turnpike Road in Knox and Josh Bell counties.

An act to change the time of holding the Barren circuit court.

An act for the benefit of A. H. Calvin, of Fayette county.

An act to amend the charter of the town of Hustonville, and amendments thereto.

An act to incorporate the Maysville and Flemingsburg Coal and Iron Region Railway Company.

That they had passed bills of the following titles, viz:

1. An act to amend an act, approved December 20th, 1871, re-establishing the common pleas court in Hickman county, and to repeal an amendment thereto, approved 6th February, 1872.

2. An act for the benefit of B. F. Mullikin, of Robertson county.

3. An act to amend an act, entitled "An act to incorporate the German Insurance Company."

4. An act to amend an act to incorporate the Farmers' and Traders' Bank of Shelbyville.

5. An act to incorporate the town of Glenville, in Adair county.

6. An act to incorporate the Deposit Bank of Mt. Sterling.

7. An act to regulate the times of holding circuit courts in the 15th judicial district.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st and 7th to the Committee on Courts of Justice; the 2d to the Committee on Finance; the 3d, 4th, and 6th to the Committee on Banks and Insurance, and the 5th to the Committee on Revised Statutes and Codes of Practice.

A message was also received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend an act prohibiting the sale of intoxicating drink in Rockcastle county.

An act to amend an act in relation to the sale of spirituous liquors in Letcher county, approved March 21st, 1870.

An act to prohibit the sale of ardent spirits in the first and fifth magisterial districts of Todd county.

An act to prohibit the sale of intoxicating liquors in and near the town of Spottsville, in Henderson county.

An act relating to the sale of ardent spirits in Carter county.

A message in writing was received from the Governor by Mr Botts, Assistant Secretary of State.

Said message was taken up and read as follows, viz:

STATE OF KENTUCKY, EXECUTIVE DEPARTMENT,
FRANKFORT, March 9, 1872.

Gentlemen of the Senate:

I hereby nominate for your advice and consent the following persons as suitable to be commissioned as notaries public, viz:

Wm. S. Bodley, jr., Jefferson county.
John Roberts, Jefferson county.
R. R. Bowling, Jefferson county.
John R. Redding, Jefferson county.
Sidney K. Smith, Jefferson county.
E. W. Hays, Jefferson county.
George M. Bedinger, Boone county.
T. T. McGuire, McCracken county.
D. C. Jones, Union county.
John A. Hamilton, Fayette county.
Robert Richardson, Kenton county.
Samuel H. Richardson, Warren county.
W. M. Thomas, Todd county.
Charles Hayden, Franklin county.

Respectfully,

P. H. LESLIE.

Resolved, That the Senate advise and consent to said appointments.

Another message in writing was also received from the Governor by Mr. Botts, Assistant Secretary of State.

Said message was taken up and read as follows, viz:

STATE OF KENTUCKY, EXECUTIVE DEPARTMENT,
FRANKFORT, March 8th, 1872.

Gentlemen of the Senate and House of Representatives:

By request of His Excellency, the Governor of the State of New Jersey, I herewith transmit to you a copy of preamble and law passed by the Legislature of that State, making contribution of three thousand dollars to the National Washington Monument Society, to be used in completion of the obelisk or shaft intended as a national monument to the memory of George Washington, in the city of Washington, District of Columbia.

Respectfully,

P. H. LESLIE.

STATE OF NEW JERSEY.

AN ACT to make a contribution toward the completion of the Washington National Monument.

WHEREAS, There is now standing in the city of Washington an uncompleted obelisk or shaft intended as a national monument to the

memory of George Washington; therefore, with the intent, and for the purpose, of completing the said monument before the Centennial Anniversary of the Declaration of Independence,

§ 1. *Be it enacted by the Senate and General Assembly of the State of New Jersey*, That the sum of three thousand dollars is hereby appropriated, out of any money not otherwise appropriated in the Treasury of this State, as the contribution of the State of New Jersey, to be paid by the Treasurer, on the warrant of the comptroller, to the Treasurer of the National Washington Monument Society, whenever the Governor of this State shall certify that he is satisfied a sufficient sum has been subscribed from other sources to enable said society to resume work with a reasonable prospect of completing the obelisk or shaft.

§ 2. That a copy of this law shall be transmitted by the Governor to the Governors of other States of the Union, with a request that they communicate the same to the Legislatures of their respective States.

Ordered, That said communication from the Governor of New Jersey be referred to a select committee heretofore appointed, to take into consideration the matter therein referred to.

A message was received from the Governor by Mr. Botts, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act for the protection of sheep in the counties of Nicholas, Gallatin, and Fleming.

An act for the benefit of the Murphysville Turnpike Road, in Mason county.

An act to amend the charter of the New Castle and Eminence Turnpike Road.

An act to incorporate the Catnip Hill Turnpike Road Company, in Jessamine county.

An act allowing David Pryse, Z. T. Martin, and James M. Beatty to construct wharves at their respective landings at Beattyville.

An act to amend the charter of the Carroll, Owen, Gallatin, and Eagle Bridge Company.

An act to exempt footmen from bridge toll.

An act to amend the charter of the Ballardsville and Christiansburg Turnpike Road Company.

An act to incorporate the Carrsville Silver and Lead Mining Company.

An act to amend the charter of the Big Sandy Navigation and Manufacturing Company

An act for the benefit of Wm. Day, of Breathitt county.

An act to incorporate the Southside Turnpike Road Company.

An act to incorporate the Newport Gas-light and Fuel Company.

Mr. Martin presented the petition of sundry citizens of Harlan county, praying the repeal of an act, approved February 7th, 1870, in relation to the sale of spirituous liquors in said county.

Which was received, the reading dispensed with, and referred to the Committee on Religion and Morals.

The following bills were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Conklin, from the Committee on Revised Statutes and Codes of Practice—

1. A bill requiring the Jefferson county court to appoint a measurer of tan-bark for said county.

By Mr. Hale, from the Committee on Finance—

2. A bill for the benefit of Thos. D. Grundy, sheriff of McCracken county.

By Mr. John W. Johnson, from the Committee on Religion and Morals—

3. A bill to prevent the sale of spirituous liquors in the town of Burksville.

By Mr. Pope, from the Committee on Banks and Insurance—

4. A bill to provide for the organization and regulation of banking companies.

By Mr. Talbott, from a select committee—

5. A bill to incorporate the Central Kentucky Medical Association.

By Mr. Holt, from a select committee—

6. A bill to amend the charter of the Paducah, Benton, and Murray Gravel Road Company.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, the 4th was ordered to be printed, and placed in the orders of the day, and all the others were ordered to be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Boyd, from the Committee on Religion and Morals, reported a bill, entitled

A bill to enable the qualified voters residing within one mile of any college or high school to prohibit, by vote, the selling, vending, or furnishing in any way, except for medical purposes, any spirituous, vinous, or malt liquors within such district.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with, sundry amendments were proposed to said bill.

Ordered, That said bill and proposed amendments be printed, and placed in the orders of the day.

Mr. Conklin moved to reconsider the vote by which the Senate had passed a bill, entitled

A bill to amend chapter 83 of the Revised Statutes, title "Revenue and Taxation."

The vote dispensing with the third reading of said bill, as also that ordering it to be read a third time, was also dispensed with.

Mr. Conklin then proposed an amendment to said bill, which was adopted.

Mr. Hale also proposed an amendment to said bill, which was adopted.

Ordered, That said bill, as amended, be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Talbott moved to reconsider the vote by which the Senate had disagreed to the passage of bills, which originated in the House of Representatives, of the following titles, viz:

An act to regulate and establish the rate of tolls on the Covington and Cincinnati bridge.

An act to regulate the running of ferries and ferry rates in the city of Covington.

Which motion was adopted.

Mr. Gatewood, from the Committee on Revised Statutes and Codes of Practice, to whom had been referred a bill, which originated in the House of Representatives, entitled

An act to increase the jurisdiction of the police judge of Woodville, in McCracken and Ballard counties,

Reported the same, with the expression of opinion that said bill ought not to pass.

And the question being taken on ordering said bill to be read a third time, the opinion of the committee to the contrary notwithstanding, it was decided in the negative.

So said bill was disagreed to.

Mr. McManama moved to reconsider the vote by which the Senate had disagreed to the passage of a bill, which originated in the House of Representatives, entitled

An act to protect small birds in Bracken county.

The question was taken on reconsidering said vote, and it was decided in the affirmative.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

Resolved, That the title of said bill be as aforesaid.

Mr. Chelf, from the Committee on Revised Statutes and Codes of Practice, to whom had been referred a bill, which originated in the House of Representatives, entitled

An act to amend and reduce into one the several acts concerning the town of Madisonville,

Asked to be discharged from the further consideration thereof, and that the same be referred to the Committee on the Judiciary.

Which was granted.

The Senate took up for consideration a bill, entitled

2. A bill to change the time of paying the revenue by sheriffs into the Treasury.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That from and after the first day of June, 1872, the sheriff or collector of the State revenue, in each county in this State, shall account for and pay all taxes for which he is bound into the State Treasury in two installments, one half to be paid by the 15th day of October, annually, and the balance on the first day of January thereafter; and upon his failure to do so, he and his securities shall be liable for interest at the rate of ten per cent. per annum on said installment, or on any balance on either of them that he may fail to pay by the times required by this act; and for a failure to pay the

revenue into the Treasury by the first day of January, he and his securities may be proceeded against as now prescribed by law.

§ 2. That it shall be the duty of the sheriff or tax collector to attend two days at the voting place in each justices' district in his county, between the 1st day of August and the 15th day of October, and two days between the 15th day of October and the 15th day of December, of each year, for the purpose of collecting taxes, of which attendance he shall give written or printed notice twenty days previous thereto, by posting the same at five or more public places in each district That all tax payers failing to pay their taxes on or before the second attendance in the district, as required by this act, shall thereafter pay the same to the sheriff or collector at his office in the county seat of his county.

§ 3. That upon all taxes remaining unpaid after the 1st day of January, the sheriff shall have the right to charge and collect of the tax-payer five per cent. of the amount due.

§ 4. That this act shall be in force from and after the first day of June next, when all acts and parts of acts in conflict with this act shall stand repealed.

Mr. Haydon then moved to amend said bill as follows, viz:

Strike out "fifteenth of October," and insert the "first of January," the time at which first payment shall be made.

Mr. Clay then moved to lay said bill and proposed amendment on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Chelf and Haydon, were as follows, viz:

Those who voted in the affirmative were—

John S. Barlow,	W. W. Frazer,	G. A. C. Holt,
Robert Boyd,	John J. Gatewood,	John W. Johnson,
R. A. Burton,	H. S. Hale,	E. D. Standeford,
James F. Clay,	Edwin Hawes,	A. G. Talbott—14.
G. W. Connor,	J. B. Haydon,	

Those who voted in the negative, were—

W. H. Chelf,	W. McKee Fox,	Alfred T. Pope,
Harrison Cockrill,	Jesse C. Gilbert,	K. F. Prichard,
Wm. L. Conklin,	Thomas F. Hargis,	Ben. J. Webb.
John E. Cooper,	Wm. Johnson,	Thos. Wrightson—14.
Wm. P. Duvall,	A. L. Martin,	

The question was then taken on the adoption of the amendment proposed by Mr. Haydon, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Hawes and Haydon, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	F. W. Darby,	John W. Johnson,
Robert Boyd,	John J. Gatewood,	A. G. Talbott,
John E. Cooper,	J. B. Haydon,	W. L. Vories—9.

Those who voted in the negative, were—

R. A. Burton,	W. W. Frazer,	A. L. Martin,
W. H. Chelf,	Jesse C. Gilbert,	A. L. McAfee,
James F. Clay,	D. R. Haggard,	O. D. McManama,
Harrison Cockrill,	H. S. Hale,	Alfred T. Pope,
Wm. L. Conklin,	Thomas F. Hargis,	K. F. Prichard,
G. W. Connor,	Edwin Hawes,	E. D. Standeford,
Wm. P. Duvall,	G. A. C. Holt,	Ben. J. Webb,
W. McKee Fox,	William Johnson,	Thos. Wrightson—24.

Mr. Hale then moved to postpone the further consideration of said bill until to-morrow at 10 o'clock, A. M.

And the question being taken thereon, it was decided in the negative.

Mr. Conklin moved to amend said bill as follows, viz:

Strike out the "fifteenth of October," and insert in lieu thereof the first of November."

Mr. McManama then moved to amend the amendment proposed by Mr. Conklin as follows, viz:

Strike out the "fifteenth of October," and insert in lieu thereof the "fifteenth of November," instead of the "first of November," and insert the "first day of February," instead of the "first day of January."

Mr. Chelf then moved to postpone the further consideration of the bill and proposed amendments until four o'clock, P. M.

Mr. Cooper moved to postpone until the 20th inst. the further consideration of said bill, &c.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Chelf and Haggard, were as follows, viz:

Those who voted in the affirmative, were—

R. A. Burton,	John J. Gatewood,	A. L. McAfee,
James F. Clay,	Edwin Hawes,	O. D. McManama,
John E. Cooper,	J. B. Haydon,	A. G. Talbott,
F. W. Darby,	G. A. C. Holt,	Thos. Wrightson—14.
W. W. Frazer,	John W. Johnson,	

Those who voted in the negative, were—

John S. Barlow,	Jesse C. Gilbert,	Alfred T. Pope,
Robert Boyd,	D. R. Haggard,	K. F. Prichard,
W. H. Chelf,	H. S. Hale,	E. D. Standeford,

Wm. L. Conklin,	Thomas F. Hargis,	W. L. Vories,
G. W. Connor,	Wm. Johnson,	Ben. J. Webb—17.
Wm. P. Duvall,	A. L. Martin,	

The question was then taken on the motion made by Mr. Chelf, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Cooper and Frazer, were as follows, viz:

Those who voted in the affirmative, were—

Robert Boyd,	Jesse C. Gilbert,	A. L. Martin,
W. H. Chelf,	D. R. Haggard,	Alfred T. Pope,
Wm. L. Conklin,	H. S. Hale,	K. F. Prichard,
G. W. Connor,	Thomas F. Hargis,	Ben. J. Webb—14.
William P. Duvall,	William Johnson,	

Those who voted in the negative, were—

John S. Barlow,	John J. Gatewood,	O. D. McManama,
R. A. Burton,	Edwin Hawes,	E. D. Standeford,
James F. Clay,	J. B. Haydon,	A. G. Talbott,
John E. Cooper,	G. A. C. Holt,	W. L. Vories,
F. W. Darby,	John W. Johnson,	Thos. Wrightson—17.
W. W. Frazer,	A. L. McAfee,	

On motion of Mr. Prichard,

Ordered, That the further consideration of said bill and proposed amendments be made the special order of the day for to-morrow, at quarter past ten o'clock, A. M.

The Senate took up for consideration the resolution heretofore offered by Mr. Standeford, in relation to an adjournment of the present session of the General Assembly.

Sundry amendments were proposed to said resolution.

On motion,

Ordered, That the further consideration of said resolution and proposed amendments be postponed until to-morrow at half-past nine o'clock, A. M.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Gilbert, from the Committee on Courts of Justice—

An act to transcribe certain surveyors' books of Breathitt county.

By Mr. John W. Johnson, from the Committee on Religion and Morals—

An act to amend the charter of the Lancaster Cemetery Company.

By same—

An act to incorporate the Church House for Females and Infirmary for the Sick.

By same—

An act to repeal an act, entitled "An act to prevent the selling of spirituous, vinous, or malt liquors in Germantown precinct, No. 4, in Clark county."

By same—

An act to incorporate the Good Templars' Widow and Orphans' Benefit Association.

By Mr. Hawes, from the Committee on Religion and Morals—

An act to prohibit the sale of intoxicating liquors in Pottsville district, in Washington county.

By same—

An act in relation to the sale of spirituous and other liquors in the county of Spencer.

By Mr. Burton, from the Committee on Finance—

An act for the benefit of the sureties of James B. McWhorter, late sheriff of Taylor county.

By Mr. Gatewood, from the Committee on Education—

An act to authorize the trustees of the Hancock Seminary to dispose of a lot of ground in Hancock county.

By Mr. John W. Johnson, from the Committee on Religion and Morals—

An act to prohibit the sale of liquor in Letcher county.

By same—

An act prohibiting the sale of ardent, malt, vinous, or spirituous liquors in Webster county.

By same—

An act to amend an act, entitled "An act to prohibit the sale of spirituous liquors in the town of South Carrollton, in Muhlenburg county," approved February 7, 1870.

By Mr. Hawes, from the Committee on Religion and Morals—

An act to prohibit the sale of intoxicating liquors in Pulaski county.

By same—

An act to regulate the sale of liquors in Marion county.

With amendments to the last five named bills, which were adopted.

Ordered, That said bills, the last five named as amended, be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills, the last five named as amended, do pass, and that the titles thereof be as aforesaid.

Mr. Cooper, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act to incorporate the West Liberty and Cross Roads Turnpike Road Company;

An act to amend and reduce into one the several acts incorporating the town of Brooksville, in Bracken county;

An act to repeal all laws heretofore passed declaring Russell's creek, in Green county, a navigable stream;

An act to authorize T. D. Marcum and Martin H. Johns to erect a boom across Wolf creek, in Martin county;

An act to amend the charter of the Carlisle and Jackstown Turnpike Road Company, in Nicholas county;

An act to prohibit the sale of spirituous, vinous, and malt liquors within the Crittenden magistrates' district, in Grant county;

An act to amend an act to incorporate the town of Smith's Grove;

And enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to reduce the salary of the gate-keepers on the Wilderness Turnpike Road in Knox and Josh Bell counties;

An act to prevent the destruction of fish in the Kentucky river and its tributaries;

An act to amend the charter of the town of Blandville, in Ballard county;

An act for the benefit of A. H. Calvin, of Fayette county;

An act for the benefit of C. G. Beard, of Clinton county;

An act for the benefit of E. G. Davidson;

An act for the benefit of James M. Eifort;

An act for the benefit of James B. Wiley, of McCracken county;

An act for the benefit of John G. Johns, of Floyd county;

An act exempting the property now occupied by N. F. Smith, in Harrison county, for school purposes, from taxation;

An act for the benefit of Jesse K. Howard, school commissioner of Elliott county;

An act for the benefit of Green V. Holland;

An act to incorporate Proctor Male and Female Seminary, in Lee county;

An act for the benefit of school district No. 38, in Trigg county;

An act for the benefit of school district No. 19, of Hancock county;

An act for the benefit of B. L. Carr;

An act to establish an institution of learning in the town of Hardinsville, in Shelby county, to be known as the Lee Academy;

An act for the benefit of the Fleming County Seminary;

An act to repeal an act passed 10th of March, 1854, granting the trustees of the Dover Seminary power to control the public school fund of school district No. 2, in Mason county;

An act to amend an act for the protection of sheep in this Commonwealth, approved January 31st, 1865;

An act to incorporate the Bear Creek Navigation, Mining, and Manufacturing Company;

An act to amend an act, entitled "An act to cause good school houses to be erected in the Eighth and Ninth Congressional Districts," approved March 10th, 1871;

An act to amend the charter of the town of Hustonville, and amendments thereto;

An act appointing trustees for Williamstown Cemetery, in Grant county;

An act to amend the charter of the Kentucky Association for the Improvement of the Breed of Stock;

An act to amend the charter of the St. Bernard Coal Company;

An act for the benefit of James Vinson and others, in Hardin county;

An act to amend an act, entitled "An act to reduce into one the several acts regulating the Butler Seminary;"

An act to change the time of holding the Barren circuit court;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee, to be presented to the Governor for his approval and signature.

After a short time, Mr. Cooper reported that the committee had performed that duty.

Leave was given to bring in the following bills, viz:

On motion of Mr. Burton—

1. A bill for the benefit of school district No. 6, in Taylor county.

On motion of Mr. Holt—

2. A bill for the benefit of William M. Grey.

On motion of same—

3. A bill for the benefit of F. A. Lepen.

Ordered, That the Committee on Finance prepare and bring in the 1st, and the Committee on Claims the 2d and 3d.

And then the Senate adjourned.

TUESDAY, MARCH 12, 1872.

A message was received from the House of Representatives, announcing that they had refused to concur in an amendment proposed by the Senate to a bill which originated in the House of Representatives, entitled

An act to protect the owners of land, and to prevent certain trespasses, in Logan and Todd counties.

That they had concurred in the amendments proposed by the Senate to bills, which originated in the House of Representatives, of the following titles, viz:

An act to prohibit the sale of ardent, malt, vinous, or spirituous liquors in Webster county.

An act to incorporate the Bourbon Female College.

An act to establish a system of common schools in the town of Corydon, Henderson county.

That they had passed bills, which originated in the Senate, of the following titles, viz:

An act to incorporate the Market Bank of Louisville.

An act to change the time of holding the Ohio quarterly court.

An act, entitled "An act to amend the charter of the Central Savings Bank of Louisville," approved March 15, 1859.

An act to incorporate the Stamping Ground and Long Lick Turnpike Road Company, in Scott county.

An act to amend an act, entitled "An act to establish the People's Bank," approved February 15th, 1856.

An act to incorporate the German Insurance Bank.

An act for the benefit of L. C. Linn, late sheriff of Calloway county.

An act for the benefit of Allen Jones, late sheriff of Pulaski county.

An act to amend an act to incorporate the Louisville Insurance and Banking Company," approved January 24, 1867.

An act to amend 28th section of chapter 103, of the Revised Statutes, title "Turnpikes and Plank Roads."

An act to incorporate the Uniontown Deposit Bank.

An act for the benefit of Pearce, Wallingford & Co.

An act to incorporate the Bank of Uniontown.

An act to incorporate the Deposit Bank of Carrollton.

An act to amend an act, entitled "An act to incorporate the German Bank and Insurance Company," approved March 10th, 1869.

An act to incorporate the Greensburg Deposit Bank.

An act to incorporate the Bank of Owen.

An act to incorporate the Bank of Commerce.

With amendments to the last ten named bills, which were referred to the Committee on Banks and Insurance.

That they had passed bills of the following titles, viz:

1. An act to amend an act, entitled "An act to authorize the trustees of the Cincinnati Southern Railway to acquire the right of way, and to extend a line of railway through certain counties in this Commonwealth," approved February 13, 1872.

2. An act to incorporate the Transylvania Printing and Publishing Company, of Lexington, Kentucky.

3. An act to amend the charter of the Glasgow Railroad Company.

4. An act to amend an act, entitled "An act to charter the Owensboro and Russellville Railroad Company."

5. An act to amend the charter, and the amendments thereto, of the town of Stanford.

6. An act in relation to the streets and alleys of Jamestown, Russell county.

7. An act for the benefit of Samuel Sublett, of Woodford county.

8. An act for the benefit of the sureties of John W. Combs, late sheriff of Woodford county.

9. An act to provide for the appointment of deputy constables in the city of Covington.

10. An act changing the time of holding the quarterly courts in the county of Knox.

11. An act to amend the charter of the Smithfield and Shelbyville Turnpike Road Company.

12. An act for the benefit of John D. Boyes, of Magoffin county.

13. An act to incorporate the Big Sandy Highway Bridge Company.

14. An act to amend the charter of the Carrollton and Eagle Creek Turnpike Road Company.

15. An act to amend the Eminence and Sulphur Station Turnpike Road Company.

16. An act to amend the New Castle and Bethlehem Turnpike Road Company.

17. An act to incorporate the Pendleton Station and Wolf Run Turnpike Road Company.

18. An act to provide for the construction and completion of turnpike roads in Harrison county.

19. An act to incorporate the Owensboro and Indiana Bridge Company.

20. An act to amend an act, entitled "An act to incorporate the Union County Bank."

21. An act for the benefit of the Commercial Bank of Kentucky.

22. An act amending an act incorporating the Paducah Savings Bank.

23. An act to incorporate the First German Savings Bank of Louisville.

24. An act to amend an act, entitled "An act to incorporate the Traders' Bank," approved February 15th, 1867.

25. An act to incorporate the Paducah Universal Deposit and Trading Bank.

26. An act to incorporate the Mercantile Bank of Louisville.

27. An act to amend the charter of the Clarksville and Princeton Railroad Company.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st, 3d, 4th, and 27th to the Committee on Railroads; the 2d, 5th, 6th, and 9th to the Committee on the Judiciary; the 7th and 8th to the Committee on Finance; the 10th to the Committee on Courts of Justice; the 11th, 12th, 13th, 14th, 15th, 16th, 17th, 18th, and 19th to the Committee on Internal

Improvement; and the 20th, 21st, 22d, 23d, 24th, 25th, and 26th to the Committee on Banks and Insurance.

A message was also received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Maysville, Flemingsburg, Coal and Iron Region Railway Company.

An act to prohibit the granting of license to retail spirituous, vinous, or malt liquors in the county of Crittenden.

Resolution asking for information in regard to certain insurance companies.

The following petitions were presented, viz:

By Mr. Talbott—

1. The petition of sundry citizens of Jamestown, asking a repeal of a portion of their town charter.

By same—

2. The petition of sundry citizens of Boyle county, praying the passage of a law to expedite the trial of petit larceny cases other than by the indictment of a regular grand jury.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on Religion and Morals, and the 2d to the Committee on the Judiciary.

Mr. Cooper moved that a committee be appointed on the part of the Senate, to act with a similar committee on the part of the House of Representatives, to withdraw from the Governor a bill, which originated in the House of Representatives, which had passed the two Houses, entitled

An act for the benefit of Jesse K. Howard, school commissioner of Elliott county.

Which motion was granted.

Whereupon the Speaker appointed Messrs. Cooper and Barlow as said committee on the part of the Senate.

After a short time, Mr. Cooper reported that the committee had performed that duty, and said bill was handed in at the Clerk's desk.

Mr. Cooper then moved to reconsider the vote by which the Senate had passed said bill.

Which motion was adopted.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

[*For bill—see Session Acts present session.*]

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	Jesse C. Gilbert,	O. D. McManama,
W. H. Chelf,	D. R. Haggard,	Alfred T. Pope,
James F. Clay,	H. S. Hale,	K. F. Prichard,
Wm. L. Conklin,	Thomas F. Hargis,	E. D. Standeford,
John E. Cooper,	Edwin Hawes,	A. G. Talbott,
J. H. Dorman,	J. B. Haydon,	W. L. Vories,
Wm. P. Duvall,	John W. Johnson,	Ben. J. Webb,
W. McKee Fox,	Wm. Johnson,	Emery Whitaker,
W. W. Frazer,	A. L. Martin,	Thos. Wrightson—29.
John J. Gatewood,	A. L. McAfee,	

In the negative—none.

Resolved, That the title of said bill be as aforesaid.

On motion of Mr. Hale, indefinite leave of absence was granted to Mr. Boyd.

Mr. Gilbert, from the Committee on Courts of Justice, to whom had been referred a bill, which originated in the House of Representatives, entitled

An act to amend an act, approved December 20th, 1871, re-establishing the common pleas court in Hickman county, and to repeal an amendment thereto, approved 6th February, 1872,

Reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Martin moved that a message be sent to the House of Representatives asking leave to withdraw the announcement of their disagreement to a bill, which originated in the House of Representatives, entitled

An act for the benefit of James Turner, late sheriff of Perry county.

Which motion was adopted.

After a short time said bill was handed in at the Clerk's desk.

The Senate, according to order, took up for consideration a bill, entitled

A bill to regulate the charges of the railroads of this Commonwealth.

Ordered, That the further consideration of said bill be postponed until to-morrow, at 11 o'clock.

The Senate resumed the consideration of the resolution heretofore proposed by Mr. Standeford, entitled

Resolution in relation to the final adjournment of the present session of the General Assembly.

Said resolution reads as follows, viz:

WHEREAS, The Constitution provides for biennial sessions of the General Assembly; and whereas, no necessity exists for any departure from the manifest design of the Constitution in this regard; therefore,

Resolved by the General Assembly of the Commonwealth of Kentucky, That when this Legislature adjourns on the 20th inst., it shall adjourn *sine die*.

Mr. McAfee then proposed the following amendment as a substitute for the resolution offered by Mr. Standeford, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That when the Legislature adjourns on the 25th inst., it will adjourn to meet again on the first Monday in January, 1873.

Mr. McAfee then moved to postpone the further consideration of said resolution and pending amendment till Thursday next, the 14th inst.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Hargis and Hale, were as follows, viz:

Those who voted in the affirmative, were—

R. A. Burton,	Jesse C. Gilbert,	K. F. Prichard,
G. W. Connor,	J. B. Haydon,	A. G. Talbott,
John E Cooper,	A. L. Martin,	W. L. Vories,
J. H. Dorman,	A. L. McAfee,	Emery Whitaker,
Wm. P. Duvall,	O. D. McManama,	Thos. Wrightson—16.
John J. Gatewood,		

Those who voted in the negative, were—

John S. Barlow,	W. McKee Fox,	G. A. C. Holt,
Robert Boyd,	W. W. Frazer,	John W. Johnson,
W. H. Cheif,	D. R. Haggard,	William Johnson,
James F. Clay,	H. S. Hale,	Alfred T. Pope,
Harrison Cockrill,	Thomas F. Hargis,	E. D. Standeford,
Wm. L. Conklin,	Edwin Hawes,	Ben. J. Webb—19.
F. W. Darby,		

Mr. Clay then moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The question was then taken on the adoption of the amendment proposed by Mr. McAfee as a substitute for the original resolution, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Frazer and Hale, were as follows, viz:

Those who voted in the affirmative, were—

R. A. Burton,	John J. Gatewood,	O. D. McManama,
Harrison Cockrill,	D. R. Haggard,	K. F. Prichard,
G. W. Connor,	Edwin Hawes,	A. G. Talbott,
John E. Cooper,	William Johnson,	Emery Whitaker,
J. H. Dorman,	A. L. Martin,	Thos. Wrightson—17.
William P. Duvall,	A. L. McAfee,	

Those who voted in the negative, were—

John S. Barlow,	W. McKee Fox,	G. A. C. Holt,
Robert Boyd,	W. W. Frazer,	John W. Johnson,
W. H. Chelf,	Jesse C. Gilbert,	Alfred T. Pope,
James F. Clay,	H. S. Hale,	E. D. Standeford,
Wm. L. Conklin,	Thomas F. Hargis,	W. L. Vories,
F. W. Darby,	J. B. Haydon,	Ben. J. Webb—18.

Mr. Prichard then moved that the Senate do now adjourn.

Which motion the Speaker decided to be out of order.

From this decision of the Chair Mr. Prichard took an appeal, which is as follows, viz:

I desire to appeal to the Senate from the decision of the Speaker, who ruled that a motion made by me to adjourn the Senate was not in order, because the main question upon the pending resolution had been ordered. K. F. PRICHARD.

The question was then taken, "Shall the decision of the Chair stand as the judgment of the Senate?" and it was decided in the affirmative.

The yeas and nays being taken thereon, were as follows, viz:

Those who voted in the affirmative were—

John S. Barlow,	Wm. P. Duvall,	J. B. Haydon,
Robert Boyd,	W. McKee Fox,	John W. Johnson,
R. A. Burton,	W. W. Frazer,	A. L. Martin,
W. H. Chelf,	Jesse C. Gilbert,	A. L. McAfee,
James F. Clay,	D. R. Haggard,	Alfred T. Pope,
Wm. L. Conklin,	H. S. Hale,	E. D. Standeford,
G. W. Connor,	Thomas F. Hargis,	W. L. Vories,
J. H. Dorman,	Edwin Hawes,	Ben. J. Webb—24.

Those who voted in the negative, were—

John E. Cooper,	O. D. McManama,	A. G. Talbott,
John J. Gatewood,	K. F. Prichard,	Thos. Wrightson—6.

So the Chair was sustained in his decision.

Mr. Martin then moved to reconsider the vote by which the decision of the Chair had been sustained.

Mr. Hale moved to lay that motion on the table.

And the question being taken on laying said motion on the table, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Martin and Hale, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	W. W. Frazer,	A. L. Martin,
R. A. Burton,	Jesse C. Gilbert,	Alfred T. Pope,
W. H. Chelf,	D. R. Haggard,	E. D. Standeford,
James F. Clay,	H. S. Hale,	A. G. Talbott,
Wm. L. Conklin,	Thomas F. Hargis,	W. L. Vories,
G. W. Connor,	J. B. Haydon,	Ben. J. Webb,
John E. Cooper,	G. A. C. Holt,	Emery Whitaker—23.
William P. Duvall,	John W. Johnson,	

Those who voted in the negative, were—

Robert Boyd,	John J. Gatewood,	O. D. McManama,
J. H. Dorman,	Edwin Hawes,	K. F. Prichard,
W. McKee Fox,	A. L. McAfee,	Thos. Wrightson—9.

The question was then taken on the adoption of the resolution, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Hale and Hargis, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	W. W. Frazer,	G. A. C. Holt,
Robert Boyd,	Jesse C. Gilbert,	Alfred T. Pope,
W. H. Chelf,	H. S. Hale,	E. D. Standeford,
James F. Clay,	Thomas F. Hargis,	W. L. Vories,
Wm. L. Conklin,	J. B. Haydon,	Ben. J. Webb—16.
F. W. Darby,		

Those who voted in the negative, were—

R. A. Burton,	John J. Gatewood,	A. L. McAfee,
Harrison Cockrill,	D. R. Haggard,	O. D. McManama,
G. W. Connor,	Edwin Hawes,	K. F. Prichard,
John E. Cooper,	John W. Johnson,	A. G. Talbott,
J. H. Dorman,	Wm. Johnson,	Emery Whitaker,
Wm. P. Duvall,	A. L. Martin,	Thos. Wrightson—19.
W. McKee Fox,		

The Senate resumed the consideration of a bill, entitled

A bill to change the time of paying the revenue by sheriffs into the Treasury,

Together with the amendment proposed by Mr. Conklin, which amendment reads as follows, viz:

In section one, line five, strike out "fifteenth day of October," and insert "first day of November."

Which was adopted.

Mr. McManama then moved to amend said bill as follows, viz:

In section one, line five, strike out "January," and insert "February."

Mr. Hale then offered the following amendment as a substitute for the first section of said bill, viz:

That from and after the 1st day of June, 1872, the sheriff or collector of the State revenue, in each county of this State, shall account for, and pay into the State Treasury, all taxes for which he is bound, in three installments—one third to be paid by the first day of November in each year, one third by the first day of January thereafter, and the remainder by the first of March thereafter; and upon his failure to pay said installments, or either, as herein required, he and his sureties shall be liable for interest at the rate of *ten per centum* per annum on said installments, or any balance due on either of them; and for a failure to pay the same as herein directed, he and his sureties shall be proceeded against for either installment, or any balance thereof, at the first term of the Franklin circuit court after any installment is due, as now prescribed by law.

And the question being taken on the adoption of said amendment as a substitute for said section, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Hale and Haydon, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	Jesse C. Gilbert,	O. D. McManama,
Robert Boyd,	H. S. Hale,	E. D. Standeford,
James F. Clay,	Edwin Hawes,	A. G. Talbott,
G. W. Connor,	J. B. Haydon,	W. L. Vories,
F. W. Darby,	G. A. C. Holt,	Thos. Wrightson—15.

Those who voted in the negative, were—

R. A. Burton,	W. McKee Fox,	A. L. Martin,
W. H. Chelf,	W. W. Frazer,	A. L. McAfee,
Harrison Cockrill,	John J. Gatewood,	Alfred T. Pope,
Wm. L. Conklin,	D. R. Haggard,	K. F. Prichard,
John E. Cooper,	Thomas F. Hargis,	Ben. J. Webb.
J. H. Dorman,	John W. Johnson,	Emery Whitaker—20.
William P. Duvall,	Wm. Johnson,	

The question was then taken on the adoption of the amendment proposed by Mr. McManama, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. McManama and Conklin, were as follows, viz

Those who voted in the affirmative, were—

James F. Clay,	H. S. Hale,	O. D. McManama,
Harrison Cockrill,	Edwin Hawes,	A. G. Talbott,
John E. Cooper,	J. B. Haydon,	W. L. Vories,
William P. Duvall,	John W. Johnson,	Thos. Wrightson—14.
John J. Gatewood,	A. L. McAfee,	

Those who voted in the negative, were—

John S. Barlow,	W. W. Frazer,	A. L. Martin,
W. H. Chelf,	Jesse C. Gilbert,	Alfred T. Pope,
Wm. L. Conklin,	D. R. Haggard,	E. D. Standeford,
G. W. Connor,	Thomas F. Hargis,	Ben. J. Webb,
J. H. Dorman,	William Johnson,	Emery Whitaker—16.
W. McKee Fox,		

Mr. McManama then moved further to amend said bill as follows, viz:

Strike out section three, and insert in lieu thereof the following: That upon all unpaid taxes after the first day of January, the sheriff shall charge and collect of the tax-payer five per cent. on the amount due, which, when so collected, shall be paid in by said sheriff as a part of the revenue of this Commonwealth.

Mr. Cockrill then moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The question was then taken on the adoption of the amendment proposed by Mr. McManama, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Conklin and McManama, were as follows, viz:

Those who voted in the affirmative, were—

James F. Clay,	J. B. Haydon,	Alfred T. Pope,
John E. Cooper,	John W. Johnson,	E. D. Standeford,
W. W. Frazer,	A. L. McAfee,	A. G. Talbott,
John J. Gatewood,	O. D. McManama,	Thos. Wrightson—13.
Edwin Hawes,		

Those who voted in the negative, were—

John S. Barlow,	William P. Duvall,	William Johnson,
R. A. Burton,	W. McKee Fox,	A. L. Martin,
W. H. Chelf,	Jesse C. Gilbert,	R. F. Prichard,
Harrison Cockrill,	D. R. Haggard,	W. L. Vories,
Wm. L. Conklin,	H. S. Hale,	Ben. J. Webb,
G. W. Connor,	Thomas F. Hargis,	Emery Whitaker—20.
J. H. Dorman,	G. A. C. Holt,	

Ordered, That said bill, as amended, be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Clay and Talbott, were as follows, viz:

Those who voted in the affirmative, were—

W. H. Chelf,	W. McKee Fox,	A. L. Martin,
Harrison Cockrill,	Jesse C. Gilbert,	Alfred T. Pope,
Wm. L. Conklin,	D. R. Haggard,	K. F. Prichard,
John E. Cooper,	Thomas F. Hargis,	Ben. J. Webb,
J. H. Dorman,	Wm. Johnson,	Emery Whitaker—16.
William P. Duvall,		

Those who voted in the negative, were—

John S. Barlow,	Edwin Hawes,	O. D. McManama,
R. A. Burton,	J. B. Haydon,	E. D. Standeford,
James F. Clay,	G. A. C. Holt,	A. G. Talbott,
W. W. Frazer,	John W. Johnson,	W. L. Vories,
John J. Gatewood,	A. L. McAfee,	Thos. Wrightson—16.
H. S. Hale,		

Mr. Hale moved to reconsider the vote by which said bill was rejected.

Which motion was adopted.

The votes dispensing with the third reading of said bill, as also that ordering it to be read a third time, were also reconsidered.

Mr. Chelf then moved to reconsider the vote by which the amendment proposed by Mr. Hale as a substitute for the first section of said bill was rejected.

Which motion was adopted.

Mr. Clay then moved to postpone the further consideration of said bill till the 20th inst.

Which motion was rejected.

The question was then taken on the adoption of the amendment proposed by Mr. Hale as a substitute for the first section of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Clay and Hale, were as follows, viz:

Those who voted in the affirmative, were—

W. H. Chelf,	H. S. Hale,	O. D. McManama,
James F. Clay,	Thomas F. Hargis,	Alfred T. Pope,
Harrison Cockrill,	Edwin Hawes,	K. F. Prichard,
Wm. L. Conklin,	J. B. Haydon,	E. D. Standeford,
John J. Gatewood,	G. A. C. Holt,	W. L. Vories,
Jesse C. Gilbert,	John W. Johnson,	Ben. J. Webb—18.

Those who voted in the negative, were—

John S. Barlow,	William P. Duvall,	A. L. Martin,
R. A. Burton,	W. McKee Fox,	A. L. McAfee,
G. W. Connor,	W. W. Frazer,	A. G. Talbott,
John E. Cooper,	D. R. Haggard,	Emery Whitaker,
J. H. Dorman,	William Johnson,	Thos. Wrightson—15.

Ordered, That said bill, as amended, be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Mr. Talbott then moved to postpone the further consideration of said bill until to-morrow at ten o'clock, A. M.

Which was adopted.

Mr. Cooper, from the Committee on Enrollments, reported that the committee had examined an enrolled bill, which originated in the Senate, of the following title, viz:

An act to amend the charter of the town of Lancaster;

And enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend section 2, article 5, chapter 32, of the Revised Statutes;

An act to repeal chapter 853 of the acts approved at the session of 1869-70;

An act to amend an act, entitled "An act for the benefit of the sureties of W. B. Simmons, late sheriff of Meade county;"

An act to change the name of Greenupsburg to Greenup;

An act for the benefit of David Wortham, of Graves county;

An act to organize and establish a system of public schools in the city of Hopkinsville, for white children in said city;

An act to amend an act, entitled "An act to organize and establish a system of public schools in the city of Owensboro for white children in said city," approved March 13th, 1871;

An act to repeal an act to amend the charter of the city of Paris, approved March 18th, 1870;

An act to re-enact an act, entitled "An act to incorporate the Boyd County Navigation, Manufacturing, and Improvement Company," approved February 8th, 1871;

An act to re-enact an act, entitled "An act to incorporate the Big Blane Improvement Company," approved January 17th, 1871;

An act to amend the charter of the Citizens' Passenger Railroad, of Louisville;

An act to amend an act, entitled "An act incorporating the town of Nebo, in Hopkins county;"

An act to amend the charter of the town of Bardstown, in Nelson county;

An act to extend the boundary of the city of Owensboro;

An act to change the corporate limits of the town of Springfield, in Washington county;

An act to amend an act, entitled "An act to incorporate the town of Morses, in Graves county," approved March 21st, 1871;

An act to enlarge the boundaries of the town of Morganfield, in Union county;

An act to amend the charter of Owensboro;

An act to extend and enlarge the corporate limits of the town of Albany, in Clinton county;

An act to amend the charter of Dixon, in Webster county;

An act to amend the charter of the town of Ashland;

An act to amend the charter of the town of Cloverport;

An act to amend the charter of the town of Slaughtersville, in Webster county;

An act to amend an act, entitled "An act to amend the charter of the Owensboro and Russellville Railroad," approved January 22, 1872;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Cooper reported that the committee had performed that duty.

Leave was given to bring in the following bills, viz:

On motion of Mr. Gilbert—

1. A bill to amend an act, entitled "An act revising the charter of the city of Paducah," approved February 11, 1871.

On motion of same—

2. A bill to incorporate the town of Norton.

On motion of Mr. McManama—

3. A bill to increase the jurisdiction of the quarterly court and justices of the peace in Bracken county.

Ordered, That the Committee on Courts of Justice prepare and bring in the 1st and 2d, and that a select committee, consisting of Messrs. Barlow, McAfee, and Haydon, are requested to prepare and bring in the 3d.

And then the Senate adjourned.

WEDNESDAY, MARCH 13, 1872.

A message was received from the House of Representatives, announcing that they had refused to concur in the amendments proposed by the Senate to a bill, which originated in the House of Representatives, entitled

An act to lay off the State into ten Congressional Districts.

That they had concurred in the amendments proposed by the Senate to bills, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Commercial Bank of Lebanon.

An act to prevent the destruction of fish in Little Kentucky river, and other streams in Carroll and Trimble counties.

An act to prohibit the sale of spirituous, &c., liquors in Garrard county.

An act to prevent the sale of spirituous liquors in Bryantsville district, No. 4, in Garrard county.

An act to prohibit the sale of spirituous liquors in the town of Antioch, Metcalfe county.

An act to incorporate the Louisville Stock and Bond Board.

That they had passed bills, which originated in the Senate, of the following titles, viz:

An act to incorporate the Shippers' Tobacco Bank.

An act to authorize the Mississippi Central Railroad Company to extend their road into and through the State of Kentucky.

An act to incorporate the Exchange Bank and Tobacco Warehouse Company.

With an amendment to the last named bill.

That they had passed bills of the following titles, viz:

1. An act concerning the settlements of Jordan Clark and Thomas P. Smith, late receivers of the Louisville chancery court.

2. An act to legalize the judgments and orders of the Greenup county quarterly court, at its March term, 1869.

3. An act to incorporate the Bank of Trenton, in Todd county.

4. An act to amend an act, entitled "An act to amend an act, entitled 'An act for the benefit of Lincoln county.'"

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st, 2d, and 4th to the Committee on Courts of Justice, and the 3d to the Committee on Banks and Insurance.

A message was received from the Governor by Mr. Botts, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act for the benefit of persons who have entered and surveyed vacant lands in the counties of Lawrence, Carter, Floyd, Pike, Perry, Clay, Josh Bell, Johnson, and Letcher, in this Commonwealth.

An act to repeal an act, entitled "An act to create a Board of Commissioners of the Sinking Fund of Pendleton county, and the amendments thereto."

Mr. Cooper read and laid on the table a joint resolution, which reads as follows, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That when this General Assembly adjourns on the 26th day of March, 1872, that it adjourn to meet again on the 7th day of January, 1873, at 12 o'clock, M.

The Senate took up for consideration a bill, entitled.

A bill to provide for the election and compensation of a vice chancellor of the Louisville chancery court, and to define his duties in connection with said court and with the Jefferson court of common pleas, and to provide a room and offices for his court.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, There shall be elected at the next general election, by the qualified voters of Jefferson county, and every six years thereafter, a vice chancellor of the Louisville chancery court, who shall hold

his office for the term of six years, and shall receive the same compensation, and have the same qualifications, as the chancellor of said court; and all laws of the State, or ordinances of the common council of the city of Louisville, in relation to the compensation of the chancellor, shall apply equally to the compensation of the vice chancellor.

§ 2. It shall be the duty of said vice chancellor to discharge the duties of chancellor in the absence of the chancellor, or in case of his incapacity, from any reason, to sit in any cause; and also to hear and determine any other causes or questions which may be assigned to him by the chancellor. He shall in nowise interfere with or change the rules of said court, but shall be governed by them.

§ 3. In the absence of the judge of the Jefferson court of common pleas, it shall be competent for said vice chancellor to hold the court in place of said judge; and all orders and proceedings, trials and judgments, before him, shall be as valid as if done before the judge of said court; or when such judge is incapacitated to try any cause, it shall be the duty of the vice chancellor to assume jurisdiction of and try such cause.

§ 4. Whenever the said court of common pleas shall fall so far behind the trial docket as, in the opinion of the judge thereof, it shall be deemed expedient and necessary so to do, then it shall be the duty of the clerk of said court to notify the vice chancellor of the fact; and thereupon it shall be the duty of the vice chancellor to open court, and hold the same for the trial of all causes, the day of trial for which has been reached; and such court of such vice chancellor shall be held for such purpose so long as the said court of common pleas shall continue behind its docket.

§ 5. It shall be the duty of the officers having charge of the court-house in Louisville to provide and furnish an appropriate room in the court-house for the court of the vice chancellor, to be paid for as other expenses of the court-house are paid for by the city of Louisville and the county of Jefferson. And the sheriff and clerk of the Jefferson court of common pleas, and the marshal and clerk of the Louisville chancery court, shall furnish proper deputies for said court, accordingly as the same may be sitting as a chancery court or court of common pleas. Whenever the services of a jury are required by such vice chancellor sitting as a common pleas judgh, the unimployed juries of the common pleas court shall serve as such, and all vacancies in the pannel be filled according to the practice of said court.

§ 6. No action, finding, or decision of the judge of the Jefferson court of common pleas, or of the chancellor of the Louisville chancery court, in any cause, shall be set aside, annulled, or modified, by the vice chancellor, nor shall any action, finding, or decision of the vice chancellor, be set aside, annulled, or modified, by the chancellor, or by the judge of the Jefferson court of common pleas. New trials can be granted only by that one of the three judges before whom the trial was had, so long as such judge remains in office.

§ 7. It shall not be necessary, in any case, for the record to show that the vice chancellor had jurisdiction of any cause tried before him

in either court; but his jurisdiction shall be conclusively presumed if the court in which he officiated had jurisdiction as a court to try the cause.

§ 8. Whenever the chancellor and vice chancellor are both absent, or both incapacitated for any reason to sit in any cause, then a special chancellor shall be elected as provided by existing laws.

§ 9. This act shall take effect and be in force from and after its passage; and until the next general election the vacancy existing, as well as all vacancies hereafter occurring, shall be filled by appointment by the Governor.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

R. A. Burton,	W. McKee Fox,	A. L. Martin,
James B. Casey,	W. W. Frazer,	O. D. McManama,
J. Q. Chenoweth,	John J. Gatewood,	Alfred T. Pope,
James F. Clay,	Jesse C. Gilbert,	K. F. Prichard,
Harrison Cockrill,	D. R. Haggard,	E. D. Standeford,
G. W. Connor,	H. S. Hale,	A. G. Talbott,
John E. Cooper,	Thomas F. Hargis,	W. L. Vories,
F. W. Darby,	G. A. C. Holt,	Ben. J. Webb,
J. H. Dorman,	John W. Johnson,	Emery Whitaker,
William P. Duvall,	Wm. Johnson,	Thos. Wrightson—30.

Those who voted in the negative, were—

John S. Barlow,	Wm. L. Conklin,	J. B. Haydon—5.
W. H. Chelf,	Edwin Hawes,	

Resolved, That the title of said bill be as aforesaid.

Mr. Conklin, from the Committee on Revised Statutes and Codes of Practice, to whom had been referred the amendment proposed by the House of Representatives to a bill, which originated in the Senate, entitled

An act to amend 28th section of chapter 103, of the Revised Statutes, title "Turnpikes and Plank Roads,"

Reported the same, with the expression of opinion that said amendment should be concurred in.

And the question being taken thereon, it was decided in the affirmative.

The Senate, according to order, resumed the consideration of an engrossed bill, entitled

An act to change the time of paying the revenue by sheriffs into the Treasury.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Hargis and Hawes, were as follows, viz:

Those who voted in the affirmative, were—

James B. Casey,	William P. Duvall,	G. A. C. Holt,
W. H. Chelf,	W. W. Frazer,	John W. Johnson,
J. Q. Chenoweth,	John J. Gatewood,	William Johnson,
Harrison Cockrill,	Jesse C. Gilbert,	A. L. Martin,
Wm. L. Conklin,	D. R. Haggard,	Alfred T. Pope,
G. W. Connor,	H. S. Hale,	K. F. Prichard,
John E. Cooper,	Thomas F. Hargis,	E. D. Standeford,
F. W. Darby,	Edwin Hawes,	Ben. J. Webb,
J. H. Dorman,	J. B. Haydon,	Thos. Wrightson—27.

Those who voted in the negative, were—

John S. Barlow,	James F. Clay,	A. G. Talbott,
R. A. Burton,	W. McKee Fox,	Emery Whitaker—6.

Resolved, That the title of said bill be as aforesaid.

Mr. J. W. Johnson moved to reconsider the vote by which the Senate had passed a bill, which originated in the House of Representatives, entitled

An act to incorporate the Good Templars' Widow and Orphans' Benefit Association.

Which motion was adopted.

A message was received from the House of Representatives, asking leave to withdraw the announcement of their passage of a bill, which originated in that body, entitled

An act to incorporate the Good Templars' Widow and Orphans' Benefit Association.

Which was granted, and the bill delivered to the messenger.

Mr. Martin moved to reconsider the vote by which the Senate had disagreed to the passage of a bill, which originated in the House of Representatives, entitled

An act for the benefit of James Turner, late sheriff of Perry county.

Which motion was simply entered.

The Senate, according to order, took up for consideration a bill, entitled

A bill to regulate the charges of the railroads of this Commonwealth,

Together with an amendment proposed by Mr. Talbott.

Mr. Chenoweth then moved to lay said bill and the pending amendment on the table.

Which motion was adopted.

Mr. Whitaker, from the Committee on Banks and Insurance, to whom had been referred the amendment proposed by the House of Representatives to a bill, which originated in the Senate, entitled

An act to incorporate the Greensburg Deposit Bank,

Reported the same, with the expression of opinion that said amendment should be concurred in.

And the question being taken thereon, it was decided in the affirmative.

The Senate took up for consideration the resolution heretofore introduced by Mr. Haggard, entitled

Resolution in relation to building a separate Penitentiary for negroes in this Commonwealth.

Said resolution reads as follows, viz:

WHEREAS, That annual appropriations are required to erect additional buildings for work-houses, warehouses, and sleeping apartments in the Penitentiary; and whereas, since the close of the late war, and the sequel or an incident connected therewith, to-wit: the freeing of the negroes, it therefore becomes absolutely necessary to provide a separate prison for each race, as it is impolitic and degrading to require the separate races to be put in such close proximity and association; therefore, be it

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Governor shall appoint three discreet persons, who shall be well suited, in his judgment, to the full investigation of the propriety of building a separate Penitentiary for the confinement of colored convicts; and that said persons so selected shall present a plan for the separation or segregation of the white convicts, and their perfect classification according to the turpitude of their crimes; and that the principal of rewarding meritorious conduct during the period of confinement, by shortening the period of each convict in such proportion as the Governor may determine, in his judgment, may be right; said persons, so appointed by the Governor, shall determine where said second Penitentiary shall be located, and make their report to the next General Assembly.

The question was then taken on the adoption of said resolution, and it was decided in the affirmative.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Webb, from the Committee on Agriculture and Manufactures—

An act to incorporate the Falls City Association for the Improvement of the Breeds of Stock.

By Mr. Gilbert, from the Committee on Courts of Justice—

An act to regulate the times of holding circuit courts in the 15th judicial district.

By same—

An act changing the time of holding the quarterly courts in the county of Knox.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The Senate took up for consideration the motion heretofore made by Mr. Webb, to suspend rule eighty-one, for the purpose of offering for the consideration of the Senate a bill, which originated in the House of Representatives, entitled

An act to incorporate the Kentucky Agricultural and Mechanical Society at Lexington.

The question was then taken on suspending said rule, and it was decided in the negative (two thirds not having voted therefor).

The yeas and nays being required thereon by Messrs. Hale and Hawes, were as follows, viz:

Those who voted in the affirmative, were—

R. A. Burton,	J. H. Dorman,	A. L. Martin,
W. H. Chelf,	William P. Duvall,	O. D. McManama,
J. Q. Chenoweth,	W. W. Frazer,	A. G. Talbott,
Harrison Cockrill,	D. R. Haggard,	Ben. J. Webb,
Wm. L. Conklin,	John W. Johnson,	Thos. Wrightson—16.
G. W. Connor,		

Those who voted in the negative, were—

John S. Barlow,	John J. Gatewood,	A. L. McAfee,
James F. Clay,	Jesse C. Gilbert,	Alfred T. Pope,
John E. Cooper,	H. S. Hale,	W. L. Vories,
F. W. Darby,	Edwin Hawes,	Emery Whitaker—14.
W. McKee Fox,	William Johnson,	

Mr. Cooper then moved to reconsider the vote by which the Senate had refused to suspend rule eighty-one.

Mr. Hale moved to lay that motion on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Clay and Hale, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	W. W. Frazer,	Wm. Johnson,
R. A. Burton,	John J. Gatewood,	A. L. McAfee,
James F. Clay,	Jesse C. Gilbert,	Alfred T. Pope,
Wm. L. Conklin,	H. S. Hale,	Emery Whitaker,
F. W. Darby,	Edwin Hawes,	Thos. Wrightson—16.
W. McKee Fox,		

Those who voted in the negative, were—

James B. Casey,	John E. Cooper,	A. L. Martin,
W. H. Chelf,	J. H. Dorman,	O. D. McManama,
J. Q. Chenoweth,	William P. Duvall,	K. F. Prichard,
Harrison Cockrill,	D. R. Haggard,	A. G. Talbott,
G. W. Connor,	John W. Johnson,	Ben. J. Webb—15.

Mr. Barlow, from the Committee on Claims, to whom had been referred a resolution, which originated in the House of Representatives, entitled

Resolution directing the Auditor to draw his warrant on the Treasury for sundry sums of money,

Reported the same with the expression of opinion that said resolution should be concurred in.

Said resolution reads as follows, viz:

[*For resolution—see Session Acts present session.*]

The question was then taken on concurring in said resolution, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	Wm. P. Duvall,	Wm. Johnson,
R. A. Burton,	W. McKee Fox,	A. L. Martin,
James B. Casey,	W. W. Frazer,	A. L. McAfee,
W. H. Chelf,	John J. Gatewood,	O. D. McManama,
James F. Clay,	Jesse C. Gilbert,	A. G. Talbott,
Harrison Cockrill,	D. R. Haggard,	W. L. Vories,
G. W. Connor,	H. S. Hale,	Ben. J. Webb,
John E. Cooper,	Edwin Hawes,	Emery Whitaker,
F. W. Darby,	John W. Johnson,	Thos. Wrightson—28.
J. H. Dorman,		

In the negative—none.

The Senate took up for consideration the disagreement between the two Houses in relation to the amendments proposed by the Senate to a bill, which originated in the House of Representatives, entitled

An act to lay off the State into ten Congressional Districts.

The question was then taken, "Will the Senate adhere to their first proposed amendment?" viz: "The transfer of the county of Green from the Eighth to the Fourth District," and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. McManama and Conklin, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	J. H. Dorman,	John W. Johnson,
W. H. Chelf,	W. McKee Fox,	Wm. Johnson,
J. Q. Chenoweth,	W. W. Frazer,	Alfred T. Pope,
Harrison Cockrill,	John J. Gatewood,	E. D. Standeford,
Wm. L. Conklin,	Jesse C. Gilbert,	A. G Talbott,
G. W. Connor,	D. R. Haggard,	W. L. Vories,
John E. Cooper,	Thomas F. Hargis,	Ben. J. Webb,
F. W. Darby,	J. B. Haydon,	Thos. Wrightson—24.

Those who voted in the negative, were—

R. A. Burton,	H. S. Hale,	O. D. McManama,
James B. Casey,	Edwin Hawes,	K. F. Prichard,
James F. Clay,	A. L. Martin,	Emery Whitaker—10.
William P. Duvall,		

The question was then taken, "Will the Senate adhere to their second amendment?" viz: "The transfer of the county of Anderson from the Fourth to the Eighth District," and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Conklin and Talbott, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	John J. Gatewood,	O. D. McManama,
W. H. Chelf,	D. R. Haggard,	E. D. Standeford,
Harrison Cockrill,	Thomas F. Hargis,	A. G. Talbott,
Wm. L. Conklin,	J. B. Haydon,	W. L. Vories,
J. H. Dorman,	John W. Johnson,	Ben. J. Webb—17.
W. W. Frazer,	William Johnson,	

Those who voted in the negative, were—

R. A. Burton,	William P. Duvall,	A. L. Martin,
James B. Casey,	W. McKee Fox,	Alfred T. Pope,
J. Q. Chenoweth,	Jesse C. Gilbert,	K. F. Prichard,
James F. Clay,	H. S. Hale,	Emery Whitaker
G. W. Connor,	Edwin Hawes,	Thos. Wrightson—16.
John E. Cooper,		

The question was then taken, "Will the Senate adhere to their third amendment?" viz: "The transfer of the counties of Carroll and Trimble from the Sixth to the Seventh District," and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. McManama and Vories, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	John J. Gatewood,	K. F. Prichard,
W. H. Chelf,	Jesse C. Gilbert,	E. D. Standeford,
Harrison Cockrill,	D. R. Haggard,	A. G. Talbott,
Wm. L. Conklin,	Thomas F. Hargis,	W. L. Vories,
John E. Cooper,	J. B. Haydon,	Ben. J. Webb,
J. H. Dorman,	John W. Johnson,	Thos. Wrightson—20.
W. W. Frazer,	Alfred T. Pope,	

Those who voted in the negative, were—

R. A. Burton,	Wm. P. Duvall,	William Johnson,
James B. Casey,	W. McKee Fox,	A. L. Martin,
J. Q. Chenoweth,	H. S. Hale,	O. D. McManama,
James F. Clay,	Edwin Hawes,	Emery Whitaker—13.
G. W. Connor,		

The question was then taken, "Will the Senate adhere to their fourth amendment?" viz: "The transfer of the county of Bourbon from the Seventh to the Sixth District," and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. McManama and Connor, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	W. McKee Fox,	Wm. Johnson,
James B. Casey,	John J. Gatewood,	O. D. McManama,
Harrison Cockrill,	D. R. Haggard,	Alfred T. Pope,
Wm. L. Conklin,	Thomas F. Hargis,	A. G. Talbott,
John E. Cooper,	J. B. Haydon,	W. L. Vories,
J. H. Dorman,	John W. Johnson,	Ben. J. Webb—18.

Those who voted in the negative, were—

R. A. Burton,	W. W. Frazer,	K. F. Prichard,
J. Q. Chenoweth,	Jesse C. Gilbert,	E. D. Standeford,
James F. Clay,	H. S. Hale,	Emery Whitaker,
G. W. Connor,	Edwin Hawes,	Thos. Wrightson—14.
William P. Duvall,	A. L. Martin,	

Mr. Gilbert read and laid on the table the following resolution, viz:

Resolved, That on and after Thursday, the 14th inst., in order to facilitate the business of the Senate, no Senator shall speak more

than once on the same subject, nor longer than ten minutes at one time, during the remainder of this session.

Mr. Gilbert, from the Committee on Courts of Justice, reported bills of the following titles, which they had been directed to prepare and bring in, viz:

A bill to establish and incorporate the town of Norton, in Hopkins county.

A bill to amend an act, entitled "An act revising the charter of the city of Paducah," approved February 11, 1871.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr Gatewood, from the Committee on Education, reported a bill, entitled

A bill to amend an act, entitled "An act directing the purchase of Collins' Historical Sketches of Kentucky."

Which bill was read the first time and ordered to be read a second time.

Said bill was read a second time as follows, viz:

WHEREAS, The act of the Legislature, authorizing the purchase of Collins' Historical Sketches of Kentucky, contemplated the submission of the question of purchase to the qualified voters, at the election of school trustees on the first Saturday of April, 1871; and whereas, it appears to this General Assembly that no election for school trustees was authorized by law to be held in the city of Louisville in April, 1871, the time for election of said trustees being in the month of December, and the question could not, therefore, be submitted to the voters in the school districts of said city at that time; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That an act, entitled "An act directing the purchase of Collins' Historical Sketches of Kentucky," which became a law on the 20th March, 1871, be, and the same is hereby, amended as follows, to-wit: That it shall be the duty of the trustees of the several wards of the city of Louisville to cause a poll to be opened at the first annual election for school trustees in the various precincts of each ward, to decide, by vote, in regard to the purchase of said books, as contemplated by said act; and if any wards should, by vote at said election,

decide not to purchase the same, the superintendent of the public schools of Louisville shall notify the Superintendent of Public Instruction thereof, and he shall not purchase said book for said ward; but should any ward vote for the purchase, then it shall be the duty of said Superintendent of Public Instruction to supply as many copies as said act authorizes.

§ 2. This act to take effect from and after its passage.

Mr. Darby then moved the following amendment as a substitute for said bill.

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That at the first annual election of school trustees held hereafter in districts that have not heretofore voted on the question, the persons in each school district qualified to vote for school trustees may, by vote, decide whether their district shall purchase Collins' Historical Sketches of Kentucky or not. And unless the school district should, by a majority of the votes cast thereon, decide to purchase said book, and certify said vote officially through the county commissioner of their county to the Superintendent of Public Instruction, then said Superintendent shall not purchase a copy of said book for said district, nor use any portion of their *pro rata* of school fund in payment of the same.

§ 2. That it shall be the duty of the Superintendent, immediately after the passage of this act, to cause it to be printed, and forward a copy to each commissioner in this State, and to each trustee of the public schools of the city of Louisville.

§ 3. This act to take effect from its passage; and all acts and parts of acts inconsistent with this act are hereby repealed.

Mr. Casey then moved that said bill be referred to the Committee on the Judiciary.

Mr. Gilbert then moved to lay that motion on the table.

And the question being taken thereon, it was decided in the affirmative.

The question was then taken on the adoption of the amendment proposed by Mr. Darby as a substitute for said bill, and it was decideed in the affirmative.

The yeas and nays being required thereon by Messrs. Hargis and Hawes, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	G. W. Connor,	D. R. Haggard,
R. A. Burton,	John E. Cooper,	H. S. Hale,
W. H. Chelf,	F. W. Darby,	Thomas F. Hargis,
James F. Clay,	Wm. P. Duvall,	Edwin Hawes,
Harrison Cockrill,	W. McKee Fox,	J. B. Haydon,
Wm. L. Conklin,	Jesse C. Gilbert,	O. D. McManama—18.

Those who voted in the negative, were—

James B. Casey,	John W. Johnson,	A. G. Talbott,
J. Q. Chenoweth,	Wm. Johnson,	W. L. Vories,

J. H. Dorman,	A. L. Martin,	Ben. J. Webb,
W. W. Frazer,	A. L. McAfee,	Emery Whitaker,
John J. Gatewood,	Alfred T. Pope,	Thos. Wrightson—15.

Ordered, That said bill, as amended, be engrossed and read a third time.

The question was then taken on dispensing with the third reading of said bill, and it was decided in the negative (two thirds not having voted therefor).

The yeas and nays being required thereon by Messrs. Whitaker and Hargis, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	F. W. Darby,	Thomas F. Hargis,
R. A. Burton,	J. H. Dorman,	Edwin Hawes,
W. H. Chelf,	William P. Duvall,	J. B. Haydon,
James F. Clay,	W. McKee Fox,	William Johnson,
Harrison Cockrill,	Jesse C. Gilbert,	O. D. McManama,
Wm. L. Conklin,	D. R. Haggard,	Alfred T. Pope,
John E. Cooper,	H. S. Hale,	A. G. Talbott—21.

Those who voted in the negative, were—

James B. Casey,	John W. Johnson,	Ben. J. Webb,
J. Q. Chenoweth,	A. L. Martin,	Emery Whitaker,
W. W. Frazer,	A. L. McAfee,	Thos. Wrightson—11.
John J. Gatewood,	W. L. Vories,	

On motion of Mr. Gilbert,

Ordered, That said bill have its third reading to-morrow at ten o'clock, A. M.

Mr. Cooper, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act to change the time of holding the Ohio quarterly court;

An act, entitled "An act to amend the charter of the Central Savings Bank of Louisville," approved March 15, 1859;

An act to incorporate the Stamping Ground and Long Lick Turnpike Road Company, in Scott county;

An act to amend an act, entitled "An act to establish the People's Bank," approved February 15th, 1856;

An act for the benefit of L. C. Linn, late sheriff of Calloway county;

An act to incorporate the German Insurance Bank;

An act to incorporate the Market Street Bank, of Louisville;

An act for the benefit of Allen Jones, late sheriff of Pulaski county;

And enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Bourbon Female College;

An act to prevent the destruction of fish in Little Kentucky river, and other streams in Carroll and Trimble counties;

An act to prohibit the sale of intoxicating liquors in the town of Claysville;

An act to protect small birds in Bracken county;

An act to prohibit the sale of intoxicating liquors in Pottsville district, in Washington county;

An act to prohibit the sale of spirituous liquors in the town of Antioch, Metcalfe county;

An act to repeal an act, entitled "An act to prevent the selling of spirituous, vinous, or malt liquors in Germantown precinct, No. 4, in Clark county;"

An act to transcribe certain surveyors' books of Breathitt county;

An act to establish the Highland Park Corporation;

An act to incorporate the town of Wingo, in Graves county;

An act to amend the charter of the Lancaster Cemetery Company;

An act to amend the charter of Bryantsville, and further amend an act approved February 14th, 1871;

An act to incorporate the town of Marshall, in Bath county;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee, to be presented to the Governor for his approval and signature.

After a short time, Mr. Cooper reported that the committee had performed that duty.

Leave was given to bring in the following bills, viz:

On motion of Mr. Chenoweth—

1. A bill amendatory of the laws in relation to the city of Frankfort.

On motion of Mr. Conklin—

2. A bill for the benefit of T. A. McGill, sheriff of Breckinridge county.

On motion of Mr. Cooper—

3. A bill to amend the charter of the Mt. Sterling and Spencer Creek Turnpike Road Company.

Ordered, That the Committee on Internal Improvement prepare and bring in the 1st; the Committee on Finance the 2d, and the Committee on Propositions and Grievances the 3d.

Mr. Gatewood, from the Committee on Education, reported a bill, entitled

A bill to incorporate the Memorial Male and Female Literary Institute.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill was then dispensed with.

Mr. Clay then moved to lay said bill on the table.

Pending the consideration of which motion, the hour of adjournment having arrived, further action thereon was cut off.

And then the Senate adjourned.

THURSDAY, MARCH 14, 1872.

A message was received from the House of Representatives, announcing that they had passed bills, which originated in the Senate, of the following titles, viz:

An act to continue in force an act, entitled "An act to increase the compensation to the Public Printer," approved February 25th, 1865.

An act to incorporate the Maysville Building and Savings Association.

An act for the benefit of school district No. 2, in Menifee county.

That they had passed bills of the following titles, viz:

1. An act to incorporate the Good Templars' Widows' and Orphans' Benefit Association.

2. An act to subject bank stock to taxation for county and municipal purposes.

3. An act to authorize the purchase of the footways of the Newport and Cincinnati bridge by certain justices' districts in Newport and vicinity.

4. An act to prohibit the sale of spirituous, vinous, or malt liquors in the precinct of Millersburg, Bourbon county.

5. An act for the benefit of A. P. Childress.

6. An act for the benefit of Woodford county.

7. An act to regulate the sale of spirituous, vinous, and malt liquors in Lewisport justices' district, in Hancock county.

8. An act for the benefit of school district No. 3, in Hancock county.

9. An act to require the State Librarian to furnish stationery to the Court of Appeals.

10. An act regulating defenses in actions of trespass in Carroll and Trimble counties.

11. An act to regulate defenses in actions of trespass in Carroll and Trimble counties.

12. An act to incorporate the Citizens' Gas-light Company, of Louisville.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st, 4th, and 7th to the Committee on Religion and Morals; the 2d to the Committee on Banks and Insurance; the 3d and 9th to the Committee on Courts of Justice; the 5th and 8th to the Committee on Education; the 6th to the Committee on Railroads; the 10th to the Committee on the Judiciary, and the 12th was ordered to be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A message in writing was received from the Governor by Mr Botts, Assistant Secretary of State.

Said message was taken up and read as follows, viz:

Gentlemen of the Senate:

We hereby nominate, for your advice and consent, George W. Craddock, of Franklin county; Edward I. Bullock, of the county of Hickman; Joshua F. Bullitt, of the county of Jefferson; Richard A. Buckner, of the county of Fayette, and Elijah C. Phister, of Mason county, as competent and proper men to be appointed Commissioners to revise, digest, and compile the Statute Laws and Codes of Practice of Kentucky, under the act approved March 10th, 1871, and the act amendatory thereof, approved 8th March, 1872, directing said revision, digesting, &c.

The said Buckner and Bullitt to revise the Codes of Practice, and the said Bullock and Phister to revise the Statutes, and the said Craddock to assist in the labors of both said revisions, and act as umpire at all the joint meetings of all said Commissioners.

Respectfully,

P. H. LESLIE,
Governor of Kentucky.
WILL. S. PRYOR,
M. R. HARDIN,
B. J. PETERS,
W. LINDSAY,
Judges Court of Appeals of Kentucky.

Resolved, That the Senate advise and consent to said nominations.

The Senate resumed the consideration of a bill, entitled

A bill to incorporate the Memorial Male and Female Literary Institute,

Together with the motion made by Mr. Clay on yesterday to lay said bill on the table.

Said bill reads as follows, viz:

WAEREAS, During the late war the children of the white soldiers, deprived of the benefits of schools, because of the disturbed condition of the country, have been left in the race of life far behind the children of persons otherwise situated; and whereas, by the result of said war, the soldiers generally came out of the contest with little or no estate, and hence unable to provide means for the suitable education of their children; and whereas, in the opinion of this General Assembly, it is both wise and just to such children, and their descendants, to provide means for their education; and, in view of the financial condition of the State, that the same be done, if possible, without levying taxes therefor, and by calling into action agencies hitherto employed in furtherance of religious, educational, literary, and scientific purposes; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That Alvin Duvall and S. F. J. Trabue, of the county of Franklin; William H. Botts, of the county of Barren; George M. Jessee, of the county of Henry; Emery Whitaker, of the county of Mason; Thomas W. Varnon of the county of Lincoln; and J. J. McAfee, of the county of Mercer, and their successors in office, be, and hereby are, constituted a body-politic and corporate, under the name and style of "The Memorial Male and Female Literary Institute;" and by that name they shall have perpetual succession, with power to adopt and use a common seal, and change the same at pleasure; to make contracts for the benefit of said Institute; to sue and be sued; to plead and be impleaded, in any of the courts of this Commonwealth; to acquire by gift, grant, devise, purchase, or otherwise, any real or personal property for the benefit of said Institute, not to exceed fifty thousand dollars in value, exclusive of the endowment fund; to sell and dispose of the same at pleasure, according to the by-laws which may hereafter be established by the board of trus-

tees of said Institute, and to reinvest the proceeds thereof in such other real and personal estate, for the use and benefit of said Institute; also to have and receive from James S Smith and his associates, their heirs, personal representatives, and assigns, the sum of two hundred thousand dollars ($200,000), to be raised by them for the benefit of said Institute, at the times, and in the manner, hereinafter mentioned. All of which property, real and personal, and said endowment fund, shall be held and used exclusively for the education of such persons as are named in the preamble to this act, and their descendants. Said corporators, and their successors in office, shall be called the trustees of said Institute.

§ 2. The trustees hereby incorporated shall be self-perpetuating, and shall hold their offices until they resign, die, or, for cause, are removed, according to the by-laws to be established for their regulation under this act.

§ 3. All real estate purchased, or otherwise obtained under this charter, shall be vested in the name of the corporation, and shall be forever held for the purposes of education as herein set out, and shall not be diverted to any other use whatever; and the same, and all the estate of every kind and nature held and so used by said Institute, shall be exempt from all taxation, by any power or proceeding under the authority of this Commonwealth.

§ 4. The trustees shall have power to choose from their own body a president, a secretary, and a treasurer, and shall have power to fill all vacancies in their own body, or in said offices, or they may appoint the secretary and treasurer from persons without their own body, as they, in their by-laws, may prescribe. At all meetings, a majority of the trustees shall constitute a quorum to do business.

§ 5. The trustees shall have power, a majority of them concurring, to elect the president, professors, tutors, and other employees of said Institute, and prescribe their qualifications, duties, and time and terms of employment; and upon the disqualification, death, resignation, or removal from office of any of the trustees, president, professors, tutors, or other employees, or the officers of said Institute, the board of trustees shall fill the vacancy by election or appointment.

§ 6 It shall be the duty of the board of trustees, in all instances, without delay, to fill any and all vacancies so that the Institute shall, at all times, be, and remain, in an efficient state of organization, so as faithfully and energetically to carry out the purposes of this act.

§ 7. The board of trustees shall require of the treasurer a bond, in such sum as they may deem proper, to be executed to the Institute, with approved security, binding him and his security to make good any loss or damage the said Institute may suffer by any wrongful act of said treasurer, or by any omission of duty, or any failure on his part to discharge any and all duties devolved upon him by the by-laws of the Institute, or the orders or resolutions of the board of trustees.

§ 8. The trustees shall have power, from time to time, to establish such by-laws, rules and regulations, not inconsistent with this act, the

Constitution and laws of this State or of the United States, as they shall deem necessary for the supervision and government of said Institute; but no by-law, rule or regulation, shall be established, which would give a sectarian caste to the Institute, or forbid the reading of the Holy Bible therein.

§ 9. Said board of trustees shall have power to prescribe the studies, courses of study, and class-books for said Institute, and revise the same at least once in every year; and they shall also establish the price of tuition and expenses for attendance of students therein.

§ 10. Said board of trustees shall prescribe the terms upon which pupils may graduate; and they shall also have power to confer degrees and grant diplomas to all graduates. They may also give certificates or other evidences of degrees of scholarship to pupils leaving the Institute with honor, short of graduating, so that every pupil leaving the Institute may carry home with him or her some testimonial showing the degree of merit attained.

§ 11. There shall no partiality be shown by the board in the distribution of diplomas, certificates, or other testimonials; but each shall be a true recital as to the scholarship and conduct of the recipient, so that the children of the poor and rich shall stand upon the equal basis of honors earned and merits rewarded. All diplomas, certificates, and other testimonials, shall be signed by the president of the board of trustees, and attested by the secretary, with the seal of the Institute affixed.

§ 12. Should said board of trustees, at any time, have on hand funds not immediately required for investment in real estate or other use, for the purpose of said Institute, the same shall at once be loaned out or invested for the purpose of endowing said Institute, and using only the income derived therefrom in carrying forward said Institute. The object of this act being not only to purchase land, erect suitable buildings thereon, and furnish the same with all needful philosophical apparatus, and sufficient library, but also to permanently endow the same; and this end shall be kept constantly in view by the board of trustees, so that when the two hundred thousand dollars shall have been received, one hundred thousand of it, at least, shall be on hand, and invested as a permanent endowment fund, so that the board can at all times, from the beginning of the Institute, grant free tuition to such pupils as they may designate, and the funds on hand will justify, especially to such as have no estate of their own in possession or expectancy.

§ 13. That the franchise to raise, by way of lottery, the net sum of two hundred thousand dollars, is hereby granted and conferred upon said Institute, which sum shall be used by the board of trustees for the exclusive benefit of said Institute, in accordance with the provisions of this act; and the exclusive use of said franchise is hereby transferred unto, and conferred upon, James S Smith and his associates, not exceeding three in number, including himself, their heirs, personal representatives, and assigns, but upon the following terms and conditions: Before said Smith and associates shall in any manner, or in any place, make any use of said franchise, he and they shall enter into bond, with good security, to the Commonwealth of

Kentucky, in the penalty of one hundred thousand dollars, with condition that they will pay unto said Institute the sum of six thousand dollars per annum, in monthly installments of five hundred dollars each, for and during the full term of thirty three years and four months, or until said sum of two hundred thousand dollars shall be fully paid unto said Institute; and also, that said Smith and associates, their heirs, personal representatives, and assigns, shall, within ninety days after any drawing by them, under said franchise, pay, or cause to be paid, to the fortunate person or persons holding a ticket or tickets thereof, all such prize or prizes as may be drawn by any individual or individuals, or company of individuals, under any plan, system or systems, by which said drawing may have been conducted; and which bond may be sued on in the name of the Commonwealth of Kentucky, for the use and benefit of said Institute, or of any person or persons injured by a breach of any condition thereof. Should said Smith and associates fail to execute the required bond for sixty days after the passage of this act, their right to so execute a bond, and to the use of said franchise, shall cease; and said trustees shall thereupon have the right to sell the privilege to use said franchise to other parties upon the same terms. The sufficiency of the security, in any bond so to be executed, shall not be established, nor the bond accepted, until the same shall have been passed upon and approved by the board of trustees, and the said approval been, by order of said board, indorsed thereon and signed by the president, and attested by the secretary, and the seal of the institute affixed thereto. All of which having been done, the bond and indorsement shall be lodged for record in the office of the clerk of the county court of Franklin county, which bond and indorsement shall, by said clerk, be recorded and indexed among the deeds recorded in his office, and when so recorded, shall stand and have the same force and effect as other recorded instruments; and for his services in recording the same, the clerk shall be paid by said obligors a fee of two dollars, and the same tax as is by law required to be paid upon deeds, and for the same fund and purpose. Should the security on said bond at any time become insolvent, or not sufficient to make good and safe the said sum of one hundred thousand dollars in the opinion and judgment of said board of trustees, they shall have the right, and it shall be their duty, to so notify said Smith and associates, their personal representatives or assigns, and to require of them new or additional security, to be in all respects approved and disposed of as in the case of an original security. In case of the sale by said Smith and associates of any portion, or all of the rights so acquired by them, the assignee shall, in all respects, before using said franchise, and while in its use, proceed as in case of original holders thereof to execute and renew bonds as herein set forth. If said Smith, his associates, their heirs, personal representatives, or assigns, when notified in writing, by said board of trustees, to give new or additional security, shall fail so to do for sixty days after such notice, the right to use said franchise shall thereupon and thereby revert to said Institute; and said board of trustees shall thereupon have the right to sell the privilege to use the same to other persons, upon such

time and terms as may, by the parties, be agreed upon, until such portion of the said two hundred thousand dollars as then remains unrealized shall be received from such vendee, but no longer. Should said Smith and associates, their heirs, personal representatives, or assigns, by any legal tribunal, without their consent, be deprived of the use of said franchise for any period of time, then, during such period, the compensation for such use shall also cease; and should the right be again restored, then the compensation shall again begin and go on as before, and the time of its use shall be extended, so as to cover the full time of such deprivation of the use of the franchise.

§ 14. Said Smith and associates, their heirs, personal representatives, or assigns, and others, shall have the right, while in the use of said franchise, to conduct the drawings thereunder, under such scheme or schemes, and in accordance with such system or systems, plans or arrangements as to tickets, numbers, and prizes, as to them shall seem best adapted to accomplish the purposes of this act; and they shall have the right to change the same, from time to time, should it be found expedient to do so, and to use different schemes and systems upon the same day, and to decide supplemental tickets by the numbers of an original drawing; the prizes and blanks to be drawn by both original and supplementary tickets may be decided by the same drawn numbers: *Provided always*, That their intent so to proceed shall, in every instance, be published before the drawing takes place.

§ 15. The board of trustees, or a majority of them, shall locate said Institute, in any county in this State, as shall by them be deemed best for its future prosperity. They are authorized, if they deem proper so to do during the early years of said Institute, before a sufficient fund shall have been acquired to purchase lands, erect buildings, and furnish them, to lease premises sufficient for the accommodation of such pupils as may apply for admission. But the board shall, as soon as practicable, proceed to purchase land, erect and furnish suitable buildings, and increase the same in number and size, as the wants and necessities of the Institute may require. Jurisdiction is hereby conferred upon the circuit court of Franklin county, upon complaint of any persons interested in the enforcement of the trust confided to the board of trustees, by proper orders, to compel the execution of the trust hereby confided to said trustees; and for sufficient cause, for mal-administration of the duties herein devolved upon said trustees, to remove the wrong-doer or doers, and to supply his place, or their places, with other persons competent to discharge all the duties devolved upon the board of trustees by this act.

§ 16. There shall be no office established in the State of Kentucky for the sale of tickets, nor shall any tickets be sold in this State under this franchise; and any person violating the provisions of this section shall be subject to all the penalties prescribed by existing laws for similar offenses.

§ 17. That the treasurer shall receive and receipt for all moneys due the Institute from any and all sources, and pay the same out by

order of the board of trustees, signed by the president and countersigned by the secretary thereof.

§ 18. This act shall take effect from its passage.

The question was then taken on laying said motion on the table, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Clay and Barlow, were as follows, viz

Those who voted in the affirmative, were—

John S. Barlow,	W. W. Frazer,	G. A. C. Holt,
W. H. Chelf,	John J. Gatewood,	John W. Johnson,
James F. Clay,	H. S. Hale,	Alfred T. Pope,
Wm. L. Conklin,	Thomas F. Hargis,	Ben. J. Webb,
J. H. Dorman,	Edwin Hawes,	Thos. Wrightson—17.
W. McKee Fox,	J. B. Haydon,	

Those who voted in the negative, were—

R. A. Burton,	F. W. Darby,	O. D. McManama,
J. Q. Chenoweth,	William P. Duvall,	K. F. Prichard,
Harrison Cockrill,	Jesse C Gilbert,	A. G. Talbott,
G. W. Connor,	D. R. Haggard,	W. L. Vories,
John E. Cooper,	A. L. McAlee.	Emery Whitaker—15.

Mr. Clay then moved to reconsider the vote by which said bill was ordered to be laid on the table.

Mr. Pope moved to lay that motion on the table.

Which motion was adopted.

The Senate, according to order, took up for consideration an engrossed bill, entitled

An act to amend an act, entitled "An act directing the purchase of Collins' Historical Sketches of Kentucky."

Mr. Martin moved to recommit said bill to the Committee on Education.

Mr. Cooper then moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the negative.

The yeas and nays being required thereon by Messrs. Cooper and Hargis, were as follows, viz:

Those who voted in the affirmative were—

John S. Barlow,	Wm. L. Conklin,	Thomas F. Hargis,
R. A. Burton,	John E. Cooper,	Edwin Hawes,
W. H. Chelf,	F. W. Darby,	J. B. Haydon,
James F. Clay,	Jesse C. Gilbert,	O. D. McManama—14.
Harrison Cockrill,	H. S. Hale,	

Those who voted in the negative, were—

James B. Casey,	John J. Gatewood,	K. F. Prichard,
J. Q. Chenoweth,	D. R. Haggard,	A. G. Talbott,

G. W. Connor,	G. A. C. Holt,	W. L. Vories,
J. H. Dorman,	John W. Johnson,	Ben. J. Webb,
Wm. P Duvall,	A. L. Martin,	Emery Whitaker,
W. McKee Fox,	A. L. McAfee,	Thos. Wrightson—20.
W. W. Frazer,	Alfred T. Pope,	

The question was then taken on Mr. Martin's motion to recommit the bill to the Committee on Education, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Gilbert and Hargis, were as follows, viz:

Those who voted in the affirmative, were—

R. A. Burton,	John J. Gatewood,	K. F. Prichard,
James B. Casey,	D. R. Haggard,	A. G. Talbott,
J. Q. Chenoweth,	G. A. C. Holt,	W. L. Vories,
G. W. Connor,	A L. Martin,	Ben. J. Webb,
W. McKee Fox,	A. L. McAfee,	Emery Whitaker—17.
W. W. Frazer,	Alfred T. Pope,	

Those who voted in the negative, were—

John S. Barlow,	F. W. Darby,	Edwin Hawes,
W. H. Chelf,	J. H. Dorman,	J. B. Haydon,
James F. Clay,	Wm. P. Duvall,	John W. Johnson,
Harrison Cockrill,	Jesse C. Gilbert,	O. D. McManama,
Wm L. Conklin,	H. S. Hale,	Thos. Wrightson—17.
John E. Cooper,	Thomas F. Hargis,	

Mr. Chenoweth then moved to postpone the further consideration of said bill till Tuesday next, the 19th inst., at half-past ten o'clock.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Cooper and Gilbert, were as follows, viz:

Those who voted in the affirmative, were—

R. A. Burton,	John J. Gatewood,	K. F. Prichard,
James B. Casey,	D. R. Haggard,	A. G. Talbott,
J. Q Chenoweth,	John W. Johnson,	W. L. Vories,
G. W. Connor,	A. L. Martin,	Ben. J. Webb,
W. McKee Fox,	A. L. McAfee,	Emery Whitaker,
W. W. Frazer,	Alfred T. Pope,	Thos. Wrightson—18.

Those who voted in the negative, were—

John S. Barlow,	John E. Cooper,	Thomas F. Hargis,
W. H. Chelf,	F. W. Darby,	Edwin Hawes,
James F. Clay,	William P. Duvall,	J. B. Haydon,
Harrison Cockrill,	Jesse C. Gilbert,	G. A. C. Holt,
Wm. L. Conklin,	H. S. Hale,	O. D. McManama—15.

The Senate took up for consideration the disagreement between the two Houses in relation to a bill, which originated in the House of Representatives, entitled

An act to protect the owners of land, and to prevent certain trespasses, in Logan and Todd counties.

The question was then taken, "Will the Senate adhere to their amendment?" and it was decided in the negative.

The Senate, according to order, took up for consideration a bill, which originated in the House of Representatives, entitled

An act to provide for voting by ballot in the election of Representatives in Congress.

Sundry amendments were offered to said bill.

Pending the consideration of which, Mr. Whitaker moved that the bill and pending amendments be referred to a select committee of five, with instructions to report to-morrow morning, at 10 o'clock.

Which motion was adopted.

Whereupon the Speaker appointed Messrs. Whitaker, Pope, Wrightson, Conklin, and Frazer.

The Senate, according to order, took up for consideration the resolution heretofore offered by Mr. Cooper, entitled

Resolution fixing the time of adjournment of the present session of the General Assembly.

Mr. Hale moved to amend said resolution as follows, viz: "Strike out all after 1872," and insert "*sine die*."

Mr. McAfee moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The question was then taken on the amendment proposed by Mr. Hale, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Cooper and Hale, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	W. McKee Fox,	J. B. Haydon,
W. H. Chelf,	W. W. Frazer,	G. A. C. Holt,
James F. Clay,	Jesse C. Gilbert,	Alfred T. Pope,
Wm. L. Conklin,	H. S. Hale,	Ben. J. Webb—14.
F. W. Darby,	Thomas F. Hargis,	

Those who voted in the negative, were—

R. A. Burton,	William P. Duvall,	A. L. McAfee,
James B. Casey,	John J. Gatewood,	O. D. McManama,
J. Q. Chenoweth,	D. R. Haggard,	K. F. Prichard,

Harrison Cockrill,	Edwin Hawes,	A. G. Talbott,
G. W. Connor,	John W. Johnson,	Emery Whitaker,
John E. Cooper,	A. L. Martin,	Thos. Wrightson—19.
J. H. Dorman,		

The question was then taken on the adoption of the resolution, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Hale and Prichard, were as follows, viz:

Those who voted in the affirmative, were—

R. A. Burton,	William P. Duvall,	O. D. McManama,
James B Casey,	John J. Gatewood,	K. F. Prichard,
J. Q. Chenoweth,	Edwin Hawes,	A. G. Talbott,
Harrison Cockrill,	John W. Johnson,	Ben. J. Webb,
G W. Connor,	A. L. Martin,	Emery Whitaker,
John E. Cooper,	A. L. McAfee,	Thos. Wrightson—19.
J. H. Dorman,		

Those who voted in the negative, were—

John S. Barlow,	W. McKee Fox,	Thomas F. Hargis,
W. H. Chelf,	W. W. Frazer,	J. B. Haydon,
James F. Clay,	Jesse C. Gilbert,	G. A. C. Holt,
Wm. L. Conklin,	D R. Haggard,	Alfred T. Pope—14.
F. W. Darby,	H. S. Hale,	

The Senate took up for consideration a bill, which originated in the Senate, entitled

An act to empower the counties of Franklin, Cumberland, and Boyle to suppress disorder and enforce the laws,

Together with the motion heretofore made by Mr. Haggard to reconsider the vote by which the Senate had passed said bill.

Which motion was then withdrawn by Mr. Haggard.

Whereupon Mr. Talbott renewed said motion.

The Senate took up for consideration the resolution heretofore proposed by Mr Prichard in relation to the daily sessions of the Senate, which reads as follows, viz:

Resolved, That from and after this day the Senate will meet at half-past nine o'clock, A. M, and adjourn at two o'clock, P. M.

Which, was twice read and adopted.

On motion of Mr. McAfee, a message was sent to the House of Representatives, asking leave to withdraw the announcement of their disagreement to the passage of a bill, which originated in the House of Representatives, entitled

An act to incorporate the Kentucky Agricultural and Mechanical Society at Lexington.

After a short time, said bill was handed in at the Clerk's desk.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Pope, from the Committee on the Judiciary—

An act to incorporate the Castleberry Coal, Iron Mining, and Manufacturing Company;

By Mr. Chelf, from the Committee on Revised Statutes and Codes of Practice—

An act to amend and reduce into one the several acts concerning the town of Glasgow;

With the expression of opinion that said bills ought not to pass.

And the question being taken on ordering said bills to be read a third time, the opinion of the committee to the contrary notwithstanding, it was decided in the negative.

So said bills were disagreed to.

Mr. Clay, from the Committee on the Judiciary, to whom had been referred a bill, which originated in the House of Representatives, entitled

An act to prohibit the floating or running logs, wood, or other lumber down the Licking river without rafting the same,

Reported the same, and moved that it be made the special order of the day for to-morrow at half-past ten o'clock A. M.

Which motion was adopted.

A message was received from the House of Representatives, asking that a committee be appointed on the part of the Senate, to act in conjunction with a similar committee appointed on the part of the House of Representatives, whose duty it shall be to take into consideration the disagreement between the two Houses in relation to the amendments proposed by the Senate to a bill, which originated in the House of Representatives, entitled

An act to lay off the State into ten Congressional Districts.

Whereupon the Speaker appointed Messrs. Talbott, Whitaker, Chelf, Hale, and Dorman as said committee.

The following bills were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Gilbert, from the Committee on Courts of Justice—

1. A bill to amend an act, entitled, "An act authorizing the Commissioners of the Sinking Fund to contract with State banks for interest on State deposits," approved March 2, 1865.

By Mr. Chelf, from the Committee on Revised Statutes and Codes of Practice—

2. A bill to amend the election laws of this Commonwealth so as to provide for the registration of voters in towns and cities having a population of two thousand or more inhabitants.

By Mr. Cockrill, from the Committee on Internal Improvement—

3. A bill to amend section two of an act, entitled "An act to authorize McKee Lodge, No. 35, I. O. O. F., at Versailles, to issue bonds."

By Mr. Clay, from the Committee on the Judiciary—

4. A bill to provide for the preservation of the estates and security of persons of unsound mind, who, by the habitual or excessive use of poisonous drugs, have become incompetent to manage themselves and estates with prudence and discretion.

By Mr. Pope, from the Committee on the Judiciary—

5. A bill to amend section twenty-eight of the Civil Code of Practice.

By Mr. Haggard, from the Committee on Propositions and Grievances—

6. A bill to incorporate the Citizens' Bridge Company.

By Mr. Cooper, from the Committee on Propositions and Grievances—

7. A bill to define and locate the county line between the counties of Elliott and Rowan.

By same—

8. A bill to amend an act to incorporate the town of Martinsburg.

By same—

9. A bill for the benefit of Wm. S. Allen, sheriff of Breathitt county.

By same—

10. A bill for the protection of deer in Breathitt, Morgan, Magoffin, Elliott, and Wolfe counties.

By Mr. Chelf, from the Committee on Revised Statutes and Codes of Practice—

11. A bill to amend chapter 84, article 1, "Public Roads," of the Revised Statutes.

By Mr. Cooper, from the Committee on Revised Statutes and Codes of Practice—

12. A bill to amend chapter — of the Revised Statutes, title "Crimes and Punishments."

By same—

13. A bill to amend an act, entitled "An act to charter the Mount Sterling and Spencer Creek Turnpike Road Company."

By Mr. Burton, from the Committee on Finance—

14. A bill for the benefit of district No. 6, in Taylor county.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, the 1st and 2d were ordered to be printed, and made the special order of the day for to morrow; the 4th was ordered to be printed, and made the special order of the day for Saturday, the 14th inst; the 11th was ordered to be printed, and made the special order of the day for Monday, the 18th inst., and the rest were ordered to be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A message was received from the Governor by Mr. Botts, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to amend and reduce into one the several acts incorporating the town of Brooksville, in Bracken county.

An act to amend the charter of the Carlisle and Jackstown Turnpike Road Company, in Nicholas county.

An act to authorize T. D. Marcum and Martin H. Johns to erect a boom across Wolf creek, in Martin county.

An act to repeal all laws heretofore passed declaring Russell's creek, in Green county, a navigable stream.

An act to prohibit the sale of spirituous, vinous, and malt liquors within the Crittenden magisterial district, in Grant county.

An act to amend an act to incorporate the town of Smith's Grove.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Talbott, from the Committee on Railroads—

An act to amend the charter of the Glasgow Railroad Company.

By same—

An act to amend an act, entitled "An act to charter the Owensboro and Russellville Railroad Company."

By Mr. Haggard, from the Committee on Internal Improvement—

An act to amend the charter of the Stanford and Milledgeville Turnpike Road Company.

By same—

An act to amend an act, entitled "An act to charter the Hustonville and McKinney's Station Turnpike Road Company."

By same—

An act to amend the charter of the Hanging Fork and Green River Turnpike Road Company.

By Mr. Clay, from the Committee on Railroads—

An act to amend the charter of the Clarksville and Princeton Railroad Company.

By Mr. Chelf, from the Committee on Revised Statutes and Codes of Practice—

An act to incorporate the town of Glenville, in Adair county.

By same—

An act to create the office of county treasurer for Campbell county.

By Mr. Conklin, from the Committee on Finance—

An act for the benefit of the sureties of John W. Combs, late sheriff of Woodford county.

By Mr. Pope, from the Committee on the Judiciary—

An act to amend an act, entitled "An act to reduce into one the several acts in relation to the town of Richmond."

With an amendment to the last named bill.

Which was adopted.

Ordered, That said bills, the last as amended, be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. J. W. Johnson, from the Committee on Religion and Morals, reported a bill, which originated in the House of Representatives, entitled

An act to incorporate the Broadway Baptist Church, of Louisville.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That W C. Hall, S. C. Long, R. H. Netherland, H. C. Hamilton, Andrew Cowan, and Jno. I. Callaway, and their successors in office, be, and they are herely, created a body corporate and politic, by the name and style of the Broadway Baptist Church, of the city of Louisville; and by that name to have perpetual succession, with all the powers incident to corporations, for the purpose of suing and being sued, pleading and being impleaded, so far as may be necessary to protect the rights, title, property, privileges, possessions, and immunities of said church, which now does, or may hereafter, belong to the same.

§ 2. That it shall be lawful for said church to acquire and hold real estate as well as personal property, and to make investments for the use and benefit thereof, to such amount, and of such value and character, as to said trustees may seem necessary or most expedient for the interests of said church.

§ 3. That no real estate so acquired and held by said church, and no investment made for, or devoted to, the use and benefit of said church, shall, at any time, be subject to any taxation or assessment for State, city, or town purposes whatsoever: *Provided*, That the property and investments of said church, so held exempt from taxation or assessment, shall not exceed in value and amount the aggregate sum of two hundred thousand dollars ($200,000), according to a fair cash valuation.

§ 4. That whenever vacancies may occur with said trustees, it shall and may be lawful for them to be filled pursuant to the discipline and rules of said church. And the General Assembly of this Commonwealth hereby reserves the right to amend or repeal this act at pleasure.

Mr. Hale then moved to reconsider the vote by which said bill was ordered to be read a third time.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Hale and Gatewood, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	John E. Cooper,	John J. Gatewood,
W. H Chelf,	F. W. Darby,	D. R. Haggard,
J. Q. Chenoweth,	J. H. Dorman,	H. S. Hale,
James F. Clay,	William P. Duvall,	Edwin Hawes,
Wm. L. Conklin,	W. W. Frazer,	G. A. C. Holt—16.
G. W. Connor,		

Those who voted in the negative, were—

R. A. Burton,	John W. Johnson,	W. L. Vories,
James B. Casey,	A. L. Martin,	Ben. J. Webb,
Harrison Cockrill,	Alfred T. Pope,	Emery Whitaker,
W. McKee Fox,	A. G. Talbott,	Thos. Wrightson—12.

Mr. Hale then moved to amend said bill as follows, viz:

Provided, The whole amount shall be invested in church property.

Pending the consideration of which, the hour fixed for adjournment having arrived, the further action thereon was cut off.

And then the Senate adjourned.

FRIDAY, MARCH 15, 1872.

A message was received from the House of Representatives, announcing that they had concurred in the adoption of resolutions, which originated in the Senate, entitled

Resolutions in regard to the navigation of the Ohio and other western rivers.

That they had passed bills, which originated in the Senate, of the following titles, viz:

An act to repeal an act concerning public books, and providing for the supply of destitute counties.

An act authorizing an additional examiner in the town of Ashland, in Boyd county.

An act to authorize the judge of the Warren circuit court to sign the records of said court made on the 5th day of March, 1870.

An act regulating the terms of the McCracken circuit court, and a transfer of cases therein to the McCracken court of common pleas.

An act to regulate the terms and business of the McCracken court of common pleas.

An act to change the terms and regulate the business of the Graves circuit court.

An act providing for a settlement with H. I. Todd, late Lessee and Keeper of the Kentucky Penitentiary.

That they had passed bills of the following titles, viz:

1. An act to legalize certain orders of the Clinton county court.

2. An act repealing parts of an act relating to the advertisement of land sales in Owen county.

3. An act to incorporate the Campbell Gas-light Company.

4. An act changing the time of holding the February term of the Franklin circuit court.

5. An act to amend the charter and laws of the town of Belleview, in Campbell county.

6. An act to authorize the issue of subpœnas for witnesses in vacation to appear before the grand jury.

7. An act to amend the charter of Glasgow Junction.

8. An act to repeal an act, entitled "An act to amend the charter of Cave City, in Barren county," approved March 8, 1871.

9. An act to amend the charter of the town of Mt. Sterling.

10. An act to charter the Winchester Odd Fellows' and Masonic Temple Company.

11. An act to amend the charter of the Clark and Montgomery Turnpike Road Company.

12. An act for the benefit of Winchester Lodge, No. 20, A. Y. F. and Accepted Masons.

13. An act for the benefit of the Mt. Sterling and Levee Turnpike Road Company.

14. An act to amend the act incorporating the Grassy Lick Turnpike Road Company.

15. An act for the benefit of Maggie G. Roberts, of Montgomery county.

16. An act concerning official sales in Clark, Montgomery, Hickman, Bracken, Fulton, and Shelby counties.

17. An act for the benefit of Clark county.

18. An act to exempt A. P. Boyes and others from working on any dirt roads in Harrison county.

19. An act to provide for the collection of the railroad tax in Montgomery county.

20. An act to require the clerk of the Lincoln circuit court to make cross-index, and pay him for the same.

21. An act to repeal the second, third, and fourth sections of an act to amend an act to incorporate St. Paul's Protestant Episcopal Church in Newport, Kentucky, approved February 6th, 1871.

22. An act for the benefit of the Lagrange and Shelbyville Railroad Company.

23 An act to amend an act incorporating the Goshen, Oldhamsburg, and Sligo Turnpike Company.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st, 3d, 4th, 5th, 6th, 18th, and 20th to the Committee on Courts of Justice; the 2d, 7th, 8th, 9th, 10th, 12th, 15th, 16th, and 17th to the Committee on the Judiciary; the 11th, 13th, 14th, 22d, and 23d to the Committee on Internal Improvement; the 19th to the Committee on Railroads, and the 21st to the Committee on Religion and Morals.

A message was also received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend an act, entitled "An act to reduce into one the several acts regulating the Butler Seminary."

An act for the benefit of E. G. Davidson.

An act to amend an act, entitled "An act to cause good schoolhouses to be erected in the Eighth and Ninth Congressional Districts," approved March 10th, 1871.

An act for the benefit of James Vinson and others, in Hardin county.

An act for the benefit of C. G. Beard, of Clinton county.

An act for the benefit of A. H. Calvin, of Fayette county.

An act for the benefit of Green V. Holland.

An act to incorporate Proctor Male and Female Seminary, in Lee county.

An act to reduce the salary of the gate-keepers on the Wilderness Turnpike Road in Knox and Josh Bell counties.

An act to amend the charter of the town of Blandville, in Ballard county.

An act to change the time of holding the Barren circuit court.

An act to amend the charter of the town of Hustonville, and amendments thereto.

An act for the benefit of the Fleming County Seminary.

An act appointing trustees for Williamstown Cemetery, in Grant county.

An act to amend the charter of the Kentucky Association for the Improvement of the Breed of Stock.

An act for the benefit of B. L. Carr.

An act to amend an act for the protection of sheep in this Commonwealth, approved January 31st, 1865.

An act to amend the charter of the St. Bernard Coal Company.

An act to prevent the destruction of fish in the Kentucky river and its tributaries.

An act for the benefit of James M. Eifort.

An act for the benefit of school district No. 38, in Trigg county.

An act exempting the property now occupied by N. F. Smith, in Harrison county, for school purposes, from taxation.

An act for the benefit of James B. Wiley, of McCracken county.

An act for the benefit of John G. Johns, of Floyd county.

Mr. Conklin presented the following petition and remonstrance, viz:

The petition of sundry citizens of Caneyville, praying the passage of an act prohibiting the sale of liquors.

The remonstrance of sundry other citizens of Caneyville, against the passage of said act.

Which were received, the reading dispensed with, and referred to the Committee on Religion and Morals.

On motion of Mr. Cooper, leave of indefinite absence was granted to Messrs. Cockrill, Conklin, Hargis, and McManama.

A message was received from the House of Representatives, asking leave to withdraw the announcement of their concurrence in an amendment proposed by the Senate to a bill, which originated in the House of Representatives, entitled

An act to incorporate the Louisville Stock and Bond Board.

Which was granted.

On motion, a message was sent to the House of Representatives, asking leave to withdraw the announcement of their passage of a bill, as amended, which originated in the House of Representatives, entitled

An act to incorporate the Louisville Stock and Bond Board.

On motion of Mr. Gatewood, a message was sent to the House of Representatives, asking leave to withdraw the announcement of their passage of a bill, which originated in the House of Representatives, entitled

An act to incorporate the Citizens' Gas-light Company, of Louisville.

Mr. Standeford offered the following resolution, viz:

WHEREAS, By an act of the General Assembly of the Commonwealth of Kentucky, approved 23d day of March, 1871, the Governor was directed to appoint "an agent to negotiate for and purchase, by and with the consent and approval of the Governor, the outstanding bonded indebtedness of the State;" and whereas, it appears from the annual message of His Excellency, Preston H. Leslie, Governor of Kentucky, that Lyttleton Cooke was appointed agent of the State in pursuance of said act, and that said agent did make a report of his action under the provisions of said act, which said report is referred to in said message as one of the accompanying documents thereof; and whereas, no copies of said report have as yet been furnished this Senate; therefore, be it

Resolved, That the Public Printer be, and he is hereby, directed to furnish the Senate with five hundred copies of the report of said agent, within three days from the adoption of this resolution.

Which was twice read and adopted.

A message was received from the House of Representatives, announcing that they had adopted the report of the joint committee of conference appointed to take into consideration the disagreement between the two Houses in relation to the amendments proposed by the Senate to a bill, which originated in the House of Representatives, entitled

An act to lay off the State into ten Congressional Districts.

On motion, Mr. Pope was excused from further service on the select committee appointed to take into consideration a bill, which originated in the House of Representatives, entitled

An act to provide for voting by ballot in the election of Representatives in Congress.

Mr. Martin was appointed by the Speaker to act on said committee.

The Senate resumed the consideration of a bill, which originated in the House of Representatives, entitled

An act to incorporate the Broadway Baptist Church, of Louisville, together with the amendment proposed by Mr. Hale.

Which was adopted.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. J. W. Johnson, from the Committee on Religion and Morals, to whom had been referred a bill, which originated in the House of Representatives, entitled

An act to incorporate the Good Templars' Widows' and Orphans' Benefit Association,

Reported the same, and asked that it be referred to the Committee on Banks and Insurance.

Which was granted.

The following bills were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Chenoweth, from the Committee on Railroads—

A bill to incorporate the Southern Kentucky Railroad Company.

By same—

A bill to incorporate the Cumberland Gap and Mississippi River Railroad Company.

By same—

A bill to amend the charter of the Louisville City Railway Company.

By Mr. Talbott, from the Committee on Railroads—

A bill to amend chapter 265, approved February 13th, 1872.

By Mr. Chenoweth, from the Committee on Railroads—

A bill to amend an act, entitled "An act to incorporate the Contracting and Building Company, for the purpose of building, and aiding in building, railroads, bridges, and telegraph lines," approved March 4th, 1872.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The Senate took up for consideration the resolution offered by Mr. Webb on yesterday.

Said resolution reads as follows, viz:

Resolved, That the rule known as rule eighty-one be, and the same is hereby, abolished.

And the question being taken on the adoption of said resolution, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Prichard and Webb, were as follows, viz:

Those who voted in the affirmative, were—

R. A. Burton,	John E. Cooper,	John W. Johnson,
James B. Casey,	J. H. Dorman,	A. L. McAfee,
W. H. Chelf,	William P. Duvall,	E. D. Standeford,
J. Q. Chenoweth,	D. R. Haggard,	A. G. Talbott,
G. W. Connor,	J. B. Haydon,	Ben. J. Webb—15.

Those who voted in the negative, were—

John S. Barlow,	John J. Gatewood,	O. D. McManama,
James F. Clay,	Jesse C. Gilbert,	Alfred T. Pope,
Wm. L. Conklin,	H. S. Hale,	K. F. Prichard,
F. W. Darby,	Edwin Hawes,	Emery Whitaker,
W. McKee Fox,	A. L. Martin,	Thos. Wrightson—16.
W. W. Frazer,		

Mr. Talbott, from the committee of conference in relation to the disagreement between the two Houses on a bill, which originated in the House of Representatives, entitled

An act to lay off the State into ten Congressional Districts,

Made the following report.

The joint committee of conference, whose duty it has been made to take into consideration the disagreement between the two Houses in relation to the amendments proposed by the Senate to a bill, which originated in the House of Representatives, entitled

An act to lay off the State into ten Congressional Districts,

Would recommend that the Senate adhere to their *first* and *second*, and recede from their *third* and *fourth* proposed amendments, and that the House of Representatives recede from their disagreement to the *first* and *second*, and adhere to their disagreement to the *third* and *fourth* proposed amendments of the Senate.

All of which is most respectfully submitted.

A. GALLATIN TALBOTT, SR.,
Chairman Senate Committee.
WM. H. CHELF,
EMERY WHITAKER,
H. S. HALE,
J. H. DORMAN,
JO. C. S. BLACKBURN,
Chairman House of Reps. Committee.
JOSEPH M. DAVIDSON,
E. F. WAIDE,
J. L. WARING,
CLINTON GRIFFITH.

Mr. Haggard moved to postpone the further consideration of said report until Monday next, the 18th inst.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Hale and Gatewood, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	John E. Cooper,	John W. Johnson,
R. A. Burton,	J. H. Dorman,	A. L. McAfee,
J. Q Chenoweth,	W. W. Frazer,	K. F. Prichard,
Wm. L. Conklin,	Jesse C. Gilbert,	Thos. Wrightson—14.
G. W. Connor,	D. R. Haggard,	

Those who voted in the negative, were—

James B. Casey,	H. S. Hale,	O. D. McManama,
W. H. Chelf,	Edwin Hawes,	E. D. Standeford,
James F. Clay,	J. B. Haydon,	A. G. Talbott,
F. W. Darby,	G. A. C. Holt,	Ben. J. Webb,
William P. Duvall,	A. L. Martin,	Emery Whitaker—16.
John J. Gatewood,		

Mr. Martin then moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Haggard and Conklin, were as follows, viz:

Those who voted in the affirmative, were—

James B. Casey,	H. S. Hale,	O. D. McManama,
W. H. Chelf,	Edwin Hawes,	K. F. Prichard,
James F. Clay,	J. B. Haydon,	A. G. Talbott,
William P. Duvall,	John W. Johnson,	Ben. J. Webb,
W. W. Frazer,	A. L. Martin,	Emery Whitaker—16.
John J. Gatewood,		

Those who voted in the negative, were—

John S. Barlow,	John E. Cooper,	A. L. McAfee,
R. A. Burton,	F. W. Darby,	Alfred T. Pope,
J. Q Chenoweth,	J. H. Dorman,	E. D. Standeford,
Wm. L. Conklin,	W. McKee Fox,	Thos. Wrightson—14.
G. W. Connor,	D. R. Haggard,	

The question was then taken on the adoption of said report, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Hale and Conklin, were as follows, viz

Those who voted in the affirmative, were—

R. A. Burton,	W. McKee Fox,	A. L. McAfee,
James B. Casey,	W. W. Frazer,	O. D. McManama,
W. H. Chelf,	John J. Gatewood,	Alfred T. Pope,
J. Q. Chenoweth,	Jesse C. Gilbert,	K. F. Prichard,
James F. Clay,	H. S. Hale,	E. D. Standeford,

G. W. Connor,	Edwin Hawes,	A. G. Talbott,
John E. Cooper,	J. B. Haydon,	Ben. J. Webb,
F. W. Darby,	John W. Johnson,	Emery Whitaker,
J. H. Dorman,	A. L. Martin,	Thos. Wrightson—28.
William P. Duvall,		

Those who voted in the negative, were—

John S. Barlow,	Wm. L. Conklin,	D. R. Haggard—3.

The Senate, according to order, took up for consideration a bill, which originated in the House of Representatives, entitled

An act to prohibit the floating or running logs, wood, or other lumber, down Licking river without rafting the same.

Mr. Martin moved to postpone the further consideration of said bill until Wednesday next, the 20th inst.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Cooper and Prichard, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	William P. Duvall,	J. B. Haydon,
W. H. Chelf,	W. W. Frazer,	A. L. Martin,
G. W. Connor,	John J. Gatewood,	K. F. Prichard,
John E Cooper,	Jesse C. Gilbert,	Emery Whitaker—13.
J. H. Dorman,		

Those who voted in the negative, were—

R. A. Burton,	W. McKee Fox,	Alfred T. Pope,
James B. Casey,	D. R. Haggard,	E D. Standeford,
J. Q. Chenoweth,	H. S. Hale,	A. G. Talbott,
James F. Clay,	Edwin Hawes,	Ben. J. Webb,
Wm. L. Conklin,	John W. Johnson,	Thos. Wrightson—17.
F. W. Darby,	O. D. McManama,	

Mr. McManama then moved that the further consideration of said bill be postponed to, and made the special order of the day for, Thursday next, the 21st inst., at 10 o'clock.

Which motion was adopted.

Mr. Conklin moved to reconsider the vote by which the Senate had passed a bill, which originated in the House of Representatives, entitled.

An act for the benefit of Woodford county.

Which motion was adopted.

On motion of Mr. Clay, a message was sent to the House of Representatives, asking leave to withdraw the announcement of their disagreement to the passage of a bill, which originated in the House of Representatives, entitled

An act to incorporate the Castleberry Coal, Iron Mining, and Manufacturing Company.

Mr. Whitaker, from the Committee on Banks and Insurance, to whom had been referred the amendments proposed by the House of Representatives to a bill, which originated in the Senate, entitled

An act to incorporate the Bank of Commerce,

Reported the same, with the expression of opinion that the Senate should disagree to the first of said amendments, and concur in all the others.

And the question being taken on the adoption of the report of the committee, it was decided in the affirmative.

Mr. Whitaker from the Committee on Banks and Insurance, to whom had been referred the amendments proposed by the House of Representatives to bills, which originated in the Senate, of the following titles, viz:

An act to incorporate the Bank of Owen;

An act for the benefit of Pearce, Wallingford & Co.;

An act to incorporate the Bank of Uniontown;

Reported the same, with the expression of opinion that said amendments should be concurred in.

And the question being taken on concurring in said amendments, it was decided in the affirmative.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Hawes, from the Committee on Religion and Morals—

An act to regulate the sale of spirituous, vinous, and malt liquors in Lewisport justices' district, in Hancock county.

By Mr. Chenoweth, from the Committee on Railroads—

An act to amend an act to incorporate the Broadway and Dunkirk Railway Company, approved March 23, 1871;

By same—

An act to amend an act, entitled "An act to incorporate the Covington Street Railway Company."

By same—

An act for the benefit of Woodford county.

By Mr Standeford, from the Committee on Internal Improvement—

An act to incorporate the Boone Bridge Company.

By Mr. Dorman, from the Committee on Religion and Morals—

An act to repeal the second, third, and fourth sections of an act to

amend an act to incorporate St. Paul's Protestant Episcopal Church in Newport, Kentucky, approved February 6th, 1871.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

And then the Senate adjourned.

SATURDAY, MARCH 16, 1872.

In the absence of the regular Speaker, Hon. Emery Whitaker was elected Speaker *pro tempore*, and took the Chair.

A message was received from the House of Representatives, announcing that they had adopted the report of the committee of conference in relation to the disagreement between the two Houses as to the amendments proposed by the Senate to a bill, which originated in the House of Representatives, entitled

An act to lay off the State into ten Congressional Districts.

A message was also received from the House of Representatives, announcing that they had concurred in the amendment proposed by the Senate to a bill, which originated in the House of Representatives, entitled

An act to amend an act, entitled "An act to prohibit the sale of spirituous liquors in the town of South Carrollton, in Muhlenburg county," approved February 7, 1870.

A message was also received from the House of Representatives, announcing that they had disagreed to the passage of a bill, which originated in the Senate, entitled

An act to establish a court of common pleas in the eleventh judicial district.

A message was also received from the House of Representatives, announcing that they had passed bills, which originated in the Senate, of the following titles, viz:

An act to limit the power of the Barren county court in ordering elections for subscription of stock to the Cumberland and Ohio Railroad Company.

An act to amend the charter of the Elizabethtown, Lexington, and Big Sandy Railroad Company.

An act to amend the charter of the city of Maysville.

An act for the benefit of the Kentucky Central Railroad Company and the Elizabethtown, Lexington, and Big Sandy Railroad Company.

An act to incorporate the Kentucky Commercial and Manufacturing Company.

With an amendment to the last named bill, which was taken up and concurred in.

That they had passed bills of the following titles, viz:

1. An act to amend the charter of the Madisonville and Shawneetown Straight-line Railroad Company.

2. An act to amend an act, entitled "An act to incorporate the Elizabethtown and Paducah Railroad Company, and the acts amendatory thereto."

3. An act to amend the charter of the Elizabethtown, Lexington, and Big Sandy Railroad Company.

4. An act to amend the charter of the Lowell and Spoonsville Turnpike Road Company," approved February 1, 1868.

5. An act to amend an act, entitled "An act to reduce into one the several acts in regard to the town of Lancaster, and for other purposes," approved March 9, 1867.

6. An act for the benefit of turnpike roads in Scott county.

7. An act to regulate the running of ferries and ferry rates in the city of Covington.

8. An act to regulate and establish the rate of tolls on the Covington and Cincinnati bridge.

9. An act for the benefit of the estate and infant heirs of Harvey Usher, late of Ballard county.

10. An act to amend an act to authorize the Shelby county court to issue bonds for the benefit of turnpike roads.

11. An act for the benefit of Kenton county.

12. An act to amend the charter of the town of Eddyville, in Lyon county.

13. An act to amend the charter of the Paducah and Gulf Railroad Company," approved February 26, 1869.

14. An act to incorporate the Evansville and Jackson Railroad Company.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st, 2d, 3d, 13th, and 14th to the Committee on Railroads; the 4th, 6th, and 10th to the Committee on Internal Improvement; the 5th and 12th to the Committee on Revised Statutes and Codes of Practice; the 9th and 11th to the Committee on Courts of Justice, and the 7th and 8th to a select committee, consisting of Messrs. Talbott, Fox, and McManama.

A message was also received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to organize and establish a system of public schools in the city of Hopkinsville for white children in said city.

An act to amend an act, entitled "An act to organize and establish a system of public schools in the city of Owensboro for white children in said city," approved March 13th, 1871.

An act to amend the charter of the Citizens' Passenger Railroad, of Louisville.

An act to amend an act, entitled "An act for the benefit of the sureties of W. B Simmons, late sheriff of Meade county."

An act to amend an act, entitled "An act to amend the charter of the Owensboro and Russellville Railroad," approved January 22, 1872.

An act to amend the charter of the town of Cloverport.

An act to amend the charter of the town of Ashland.

An act to amend the charter of Dixon, in Webster county.

An act to extend and enlarge the corporate limits of the town of Albany, in Clinton county.

An act to amend the charter of Owensboro.

An act to amend an act, entitled "An act to incorporate the town of Morses, in Graves county," approved March 21st, 1871.

An act to enlarge the boundaries of the town of Morganfield, in Union county.

An act to change the corporate limits of the town of Springfield, in Washington county.

An act to amend the charter of the town of Bardstown, in Nelson county.

An act to amend an act, entitled "An act incorporating the town of Nebo, in Hopkins county."

An act to re-enact an act, entitled "An act to incorporate the Big Blane Improvement Company," approved January 17th, 1871.

An act to re-enact an act, entitled "An act to incorporate the Boyd County Navigation, Manufacturing, and Improvement Company," approved February 8th, 1871.

An act to repeal an act to amend the charter of the city of Paris, approved March 18th, 1870.

An act to change the name of Greenupsburg to Greenup.

An act to repeal chapter 853 of the acts approved at the session of 1869-'70.

An act to amend section 2, article 5, chapter 32, of the Revised Statutes.

An act to amend the charter of the town of Slaughtersville, in Webster county.

An act to extend the boundary of the city of Owensboro.

An act to amend the charter of the town of Lancaster.

A message in writing was received from the Governor by Mr. Botts, Assistant Secretary of State, recommending that the General Assembly take action in regard to sending a delegate to attend the International Congress for the prevention and repression of crime, to convene in the city of London on the third of July, 1872.

Which was read, and referred to the Committee on Federal Relations.

A message in writing was also received from the Governor by Mr. Botts, Assistant Secretary of State.

Said message was taken up and read as follows, viz:

STATE OF KENTUCKY, EXECUTIVE DEPARTMENT,
FRANKFORT, March 16th, 1872.

Gentlemen of the Senate:

I hereby nominate for your advice and consent the following persons as suitable to be commissioned as notaries public, viz:

John L. Sanford, Kenton county.
John F. Fisk Kenton county.
Ed. M. Wallace, Woodford county.
Geo. B. Durrett, Harrison county.
Robert S. Friend, Floyd county.
James B. Finnell, Boone county.

S. M. Bernard, Jefferson county.
Charles P. Rudd, Jefferson county.
N. W. Warfield, Jefferson county.
John M Galloway, Simpson county.
E. A. W. Roberts, Franklin county.
J. D. Jones, Boyd county.
Mordecai Williams, Boyd county.
William M. Fish, Rockcastle county.
Samuel E. Smith, Muhlenburg county.

Respectfully,

P. H. LESLIE.

Resolved, That the Senate advise and consent to said nominations.

A message was also received from the Governor by Mr. Botts, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to incorporate the German Insurance Bank.

An act for the benefit of Allen Jones, late sheriff of Pulaski county.

An act to incorporate the Market Bank, of Louisville.

An act to change the time of holding the Ohio county quarterly court.

An act for the benefit of L. C. Linn, late sheriff of Calloway county.

An act, entitled "An act to amend the charter of the Central Savings Bank of Louisville," approved March 15, 1859.

An act to amend an act, entitled "An act to establish the People's Bank," approved February 15th, 1856.

An act to incorporate the Stamping Ground and Long Lick Turnpike Road Company, in Scott county.

Mr. Clay presented the petition of sundry citizens of Henderson, praying the passage of an act fixing the dividing line between the States of Indiana and Kentucky.

Which was received, the reading dispensed with, and referred to the Committee on Propositions and Grievances.

A message was received from the House of Representatives, asking leave to withdraw the announcement of their concurrence in an amendment proposed by the Senate to a bill, which originated in the House of Representatives, entitled

An act to incorporate the Louisville Stock and Bond Board.

Which was granted.

A message was also received from the House of Representatives, announcing that they had refused to concur in the amendment pro-

posed by the Senate to a bill, which originated in the House of Representatives, entitled

An act to incorporate the Louisville Stock and Bond Board.

The question was then taken, "Will the Senate adhere to their amendment?" and it was decided in the negative.

Mr. Pope then moved to reconsider the vote by which the Senate had passed said bill.

Which motion was adopted.

The vote dispensing with the third reading of said bill, as also that ordering it to be read a third time, were reconsidered.

Mr. Pope then moved to amend said bill by striking out the ninth section thereof.

Which motion was adopted.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The following bills were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Barlow, from the Committee on Claims—

A bill for the benefit of T. A. Leeper, jailer of Livingston county.

By Mr. Haggard, from the Committee on Claims—

A bill for the benefit of Alderson T. Keene, sheriff of Cumberland county.

By Mr. Standeford, from the Committee on Internal Improvement—

A bill to amend the charter of the Irvine and Miller's Creek Turnpike Road and Bridge Company.

By same—

A bill to amend the charter of the Lewis and Mason County Turnpike Road Company.

By same—

A bill amendatory of the laws in relation to the city of Frankfort.

By same—

A bill to repeal an act, entitled "An act for the benefit of the police judge of the town of Hawesville," approved February 10th, 1871.

By Mr. Chenoweth, from the Committee on Railroads—

A bill to incorporate the Princeton, Marion, and Ohio River Railroad Company.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Gatewood offered the following resolution, viz:

Resolved, That a committee of three be appointed to inquire into, and report to the Senate, what change may be necessary, if any, in the construction of the house in the Penitentiary known as the "Hackle-house," or upon the propriety of abolishing the same altogether, in order to preserve and protect the health of the convicts.

Which was twice read and adopted.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Pope, from the Committee on Banks and Insurance—

An act for the benefit of the Northern Bank of Kentucky;

By Mr. Chenoweth, from the Committee on Railroads—

An act to amend an act, entitled "An act to incorporate the Elizabethtown, Lexington, and Big Sandy Railroad Company;"

By same—

An act to amend an act incorporating the Paris, Georgetown, and Frankfort Railroad Company, approved March 23d, 1871;

With the expression of opinion that said bills ought not to pass.

And the question being taken on ordering said bills to be read a third time, the opinion of the committee to the contrary notwithstanding, it was decided in the negative.

So said bills were disagreed to.

Mr. Chenoweth, from the Committee on Railroads, to whom had been referred a bill, which originated in the House of Representatives, entitled

An act to amend an act, entitled "An act to authorize the trustees of the Cincinnati Southern Railway to acquire the right of way, and to extend a line of railway through certain counties in this Commonwealth," approved February 13, 1872,

Reported the same, and moved that said bill be made the special order of the day for Wednesday next, the 20th inst.

Which motion was adopted.

Mr. Chelf, from the Committee on Revised Statutes and Codes of Practice, reported a bill, entitled

A bill to provide a private secretary for the Governor.

Which bill was read the first time and ordered to be read a second time.

Said bill was read a second time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Governor of this Commonwealth be, and he is hereby, allowed to employ and have a private secretary to assist him in the labors of his office. The salary of said private secretary shall not exceed twelve hundred dollars per annum, and shall be payable out of the Treasury monthly, as the salaries of other public officers. The Governor shall be responsible for all the official acts of his said private secretary.

§ 2. This act shall take effect from its passage.

Mr. Conklin moved to amend said bill as follows, viz: "Strike out twelve hundred dollars, and insert one thousand dollars."

And the question being taken on the adoption of said amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Conklin and Chelf, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	John E. Cooper,	H. S. Hale,
James B. Casey,	F. W. Darby,	Edwin Hawes,
Wm. L. Conklin,	Jesse C. Gilbert,	K. F. Prichard—10.
G. W. Connor,		

Those who voted in the negative, were—

R. A. Burton,	W. W. Frazer,	A. L. Martin,
W. H. Chelf,	John J. Gatewood,	Alfred T. Pope,
J. H. Dorman,	D. R. Haggard,	E. D. Standeford,
William P. Duvall,	G. A. C. Holt,	A. G. Talbott,
W. McKee Fox,	John W. Johnson,	Emery Whitaker—15.

Mr. Hale then moved the following amendment to said bill, viz:

Amend by adding the following after the word "office," in the fourth line: "during the sessions of the General Assembly, at a salary of not exceeding five dollars per day," and strike out all after that word in first section.

And the question being taken on the adoption of said amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Hawes and Hale, were as follows, viz:

Those who voted in the affirmative, were—

John E. Cooper, H. S. Hale, Edwin Hawes—4.
Jesse C. Gilbert,

Those who voted in the negative, were—

John S. Barlow,	F. W. Darby,	G. A. C. Holt,
R. A. Burton,	J. H. Dorman,	John W. Johnson,
James B. Casey,	William P. Duvall,	A. L. Martin,
W. H. Chelf,	W. McKee Fox,	Alfred T. Pope,
J. Q. Chenoweth,	W. W. Frazer,	K. F. Prichard,
James F. Clay,	John J. Gatewood,	E. D. Standeford,
Wm. L. Conklin,	D. R. Haggard,	A. G. Talbott,
G. W. Connor,	J. B. Haydon,	Emery Whitaker—24.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	F. W. Darby,	G. A. C. Holt,
R. A. Burton,	J. H. Dorman,	John W. Johnson,
James B. Casey,	William P. Duvall,	A. L. Martin,
W. H. Chelf,	W. McKee Fox,	Alfred T. Pope,
J. Q. Chenoweth,	W. W. Frazer,	K. F. Prichard,
James F. Clay,	John J. Gatewood,	E. D. Standeford,
Wm. L. Conklin,	D. R. Haggard,	A. G. Talbott,
G. W. Connor,	J. B. Haydon,	Emery Whitaker—25.
John E. Cooper,		

Those who voted in the negative, were—

Jesse C. Gilbert, H. S. Hale, Edwin Hawes—3.

Resolved, That the title of said bill be as aforesaid.

The Senate, according to order, took up for consideration a bill, entitled

1. A bill to amend an act, entitled, "An act authorizing the Commissioners of the Sinking Fund to contract with State banks for interest on State deposits," approved March 2, 1865.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the act, entitled "An act authorizing the Commissioners of the Sinking Fund to contract with the State banks for interest on State deposits," approved March 2, 1865, be, and the same is hereby, so amended as to authorize and direct the Governor to advertise, for at least ten days, in the Frankfort Yeoman, and some one newspaper published in the city of Louisville, for proposals, by any char-

tered bank or banks in this Commonwealth, for deposits of money now, or which may hereafter be, on hand, belonging to the civil or military departments of the Commonwealth.

§ 2. That the bank or banks proposing to pay the highest rate of interest, not less than five per centum per annum, and executing covenant to the Commonwealth as hereinafter directed, shall be entitled to the deposits of said money; but if, in the opinion of the Commissioners of the Sinking Fund, the interest of the State will be better promoted by depositing in more than one bank, they may require deposits to be made in such other bank or banks as they may designate: *Provided*, Such other bank or banks shall pay interest thereon at a rate not less than five per centum per annum.

§ 3. The bank or banks with which a contract is made for deposits of said money shall first execute covenant, with good and sufficient surety, to be approved by the Governor, for the faithful discharge of all duties under this act, which bond shall be filed and preserved by the said Commissioners.

§ 4. The said moneys so deposited shall be drawn and paid out in the manner now, or which may hereafter be, authorized or required by law.

§ 5. That, upon the execution and approval of such bond or bonds, it shall be the duty of the Commissioners of the Sinking Fund, immediately thereafter, to make the deposits of said moneys with such bank or banks as herein provided for.

§ 6. This act shall take effect from its passage.

Mr. Standeford offered the following amendment as a substitute for said bill, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the act, entitled "An act authorizing the Commissioners of the Sinking Fund to contract with the State banks for interest on State deposits," approved March 2d, 1865, be, and the same is hereby, so amended as to authorize and direct the Commissioners of the Sinking Fund to advertise, for at least ten days, in the Frankfort Yeoman, and some one newspaper published in the city of Louisville, for proposals, by any chartered bank or banks in this Commonwealth, for deposits of money now, or which may hereafter be, on hand, belonging to the Sinking Fund.

§ 2. That the bank or banks proposing to pay the highest rate of interest, not less than five per centum per annum, and executing covenant to the Commonwealth, and giving such other security, as hereinafter directed, shall, at the discretion of the Commissioners aforesaid, be entitled to the deposits of said money; but if, in the opinion of the Commissioners of the Sinking Fund, the interest of the State will be better promoted by depositing in more than one bank, they may require deposits to be made in such other bank or banks as they may designate: *Provided*, Such other bank or banks shall pay interest thereon at a rate not less than five per centum per annum, and execute covenant and otherwise secure the State, as required by this act.

§ 3. The bank or banks with which a contract is made for deposits of said money shall first execute covenant, with good and sufficient security, to be approved by the Governor, for the faithful discharge of all duties under this act, which bond shall be filed and preserved by said Commissioners: *Provided, however*, The Governor may require any other and additional security or pledges deemed necessary by him, and the same shall be given or delivered before such deposit is made.

§ 4. The said moneys so deposited shall be drawn out and paid in the manner to be agreed upon by the Commissioners of the Sinking Fund and the bank or banks in which the deposits shall be made.

§ 5. That upon the execution and approval of such bond or bonds, and giving other security satisfactory to the Governor as aforesaid, it shall be the duty of the Commissioners of the Sinking Fund, immediately thereafter, to make the deposits of said moneys with such bank or banks as herein provided for.

§ 6. But the Commissioners of the Sinking Fund are hereby authorized to apply any money arising in the sale of the State's stock in the Bank of Kentucky, or otherwise belonging to the Sinking Fund, to the payment of any of the indebtedness of the State outstanding; paying, first, the remaining outstanding bonds not embraced by the late contract with the Bank of Kentucky, for which the Sinking Fund is dedicated, and then such other outstanding bonds as, in their discretion and best judgment, may be most advantageous to the State, and on such terms, not exceeding par, as they may be able to agree upon with the holders.

§ 7. If said Commissioners shall deem it advantageous to the State, they shall redeem the bonds known as the Kentucky military bonds, held by the said Commissioners for the benefit of the Agricultural College, and reinvest the proceeds in other safe and profitable stocks for the benefit of said Agricultural College: *Provided*, The rate of interest or dividend accruing on any such reinvestment shall be as much as the State is now paying on said bonds.

§ 8. This act shall take effect from its passage.

Which was adopted.

Ordered, That said bill, as amended, be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The Senate took up for consideration a bill, entitled.

A bill to provide for the preservation of the estates and security of persons of unsound mind, who, by the habitual or excessive use of poisonous drugs, have become incompetent to manage themselves and estates with prudence and discretion.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The Senate, according to order, took up for consideration a bill, entitled

A bill to amend the election laws of this Commonwealth so as to provide for the registration of voters in towns and cities having a population of two thousand or more inhabitants.

Sundry amendments were proposed to said bill.

Pending the consideration of which, on motion of Mr. Gilbert,

Ordered, That said bill and pending amendments be referred to a select committee, consisting of Messrs. Gilbert, Pope, Casey, Clay, and Conklin.

The Senate took up for consideration a bill, entitled

A bill to amend an act to establish an Insurance Bureau, approved March 10th, 1870.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the 3d section of an act to establish an Insurance Bureau, approved March 10th, 1870, be amended so as to read: "The Insurance Commissioner shall receive an annual salary of $8,000." And that the 5th section of said act be amended so as to read: "The Commissioner may appoint a clerk to assist him in the duties of the Bureau, who shall receive a salary of $4,000 per annum, to be paid as now authorized by law."

§ 2. This act shall be in force from and after its passage.

Mr. Gilbert moved to postpone the further consideration of said bill until Tuesday next, the 19th inst.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Haggard and Prichard, were as follows, viz:

Those who voted in the affirmative, were—

W. H. Chelf,	Jesse C. Gilbert,	K. F. Prichard,
Wm. L. Conklin,	H. S. Hale,	E. D. Standeford—8.
F. W. Darby,	Edwin Hawes,	

Those who voted in the negative, were—

John S. Barlow,	John J. Gatewood,	A. L. Martin,
R. A. Burton,	D. R. Haggard,	Alfred T. Pope,
J. Q. Chenoweth,	J. B. Haydon,	A. G. Talbott,

J. H. Dorman, John W. Johnson, Emery Whitaker—13.
W. W. Frazer,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Chelf and Whitaker, were as follows, viz:

Those who voted in the affirmative, were—

R. A. Burton,	John J. Gatewood,	K. F. Prichard,
J. Q. Chenoweth,	John W. Johnson,	E. D. Standeford,
F. W. Darby,	A. L. Martin,	A. G. Talbott,
J. H. Dorman,	Alfred T. Pope,	Emery Whitaker—13.
W. W. Frazer,		

Those who voted in the negative, were—

John S. Barlow,	Jesse C. Gilbert,	Edwin Hawes,
W. H. Chelf,	D. R. Haggard,	J. B. Haydon—8.
Wm. L. Conklin,	H. S. Hale,	

Resolved, That the title of said bill be as aforesaid.

Mr. Pope, from the Committee on Banks and Insurance, to whom had been referred the amendments proposed by the House of Representatives to bills, which originated in the Senate, of the following titles, viz:

An act to amend an act to incorporate the Louisville Insurance and Banking Company, approved January 24, 1867;

An act to amend an act, entitled "An act to incorporate the German Bank and Insurance Company," approved March 10th, 1869;

An act to incorporate the Uniontown Deposit Bank;

An act to incorporate the Deposit Bank of Carrollton;

Reported the same, with the expression of opinion that said amendments should be concurred in.

And the question being taken thereon separately, it was decided in the affirmative.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Frazer, from the Committee on Banks and Insurance—

An act to amend an act, entitled "An act to incorporate the German Insurance Company."

By same—

An act to amend an act, entitled "An act to incorporate the Traders' Bank," approved February 15th, 1867.

By same—

An act for the benefit of the Farmers' Bank of Kentucky.

By Mr. Gatewood, from the Committee on Education—

An act for the benefit of A. P. Childress.

By same—

An act for the benefit of school district No. 3, in Hancock county.

By Mr. Prichard, from the Committee on the Judiciary—

An act to create an additional justices' and constable's district in Johnson county.

By Mr. Frazer, from the Committee on Banks and Insurance—

An act to incorporate the Bank of Trenton, in Todd county.

By Mr. Standeford, from the Committee on Internal Improvement—

An act for the benefit of the New Liberty Branch Turnpike Road Company, in Owen county.

By same—

An act to incorporate the Tygart Valley Iron Company.

By same—

An act for the benefit of Joseph Gardner, of Magoffin county.

By same—

An act to incorporate the Leestown Turnpike Road Company.

By same—

An act for the benefit of the Georgetown, Oxford, and Leesburg Turnpike Road Company.

By same—

An act to amend the charter of the Winchester and Red River Turnpike Road Company.

By same—

An act for the benefit of the Chilesburg and Clintonville Turnpike Road Company.

By same—

An act to amend an act, entitled "An act to amend the charter of the Blue Lick Turnpike Road Company," approved February 22d, 1871.

By same—

An act to incorporate the White Stone Quarry Company.

By same—

An act to repeal an act, entitled "An act to amend an act, entitled

'An act incorporating Sherburn Bridge Company,'" approved March 14th, 1871.

By same—

An act to authorize the city of Hopkinsville and county of Christian to sell and transfer their stock in the Evansville, Henderson, and Nashville Railroad Company.

By same—

An act to incorporate the Cross Roads and Cornishville Turnpike Road Company.

By same—

An act to amend chapter No. 315, of acts 1869–'70, entitled "An act to incorporate the Rio Bridge Company."

By same—

An act to incorporate the Silas and Townsend Turnpike Company.

By same—

An act to incorporate the Liberty and Green River Turnpike Road Company, in Casey county.

By same—

An act to incorporate the Fry's Creek Turnpike Road Company, in Lincoln and Casey counties.

By same—

An act to amend the charter of the Bank Lick and Lexington Road Junction Turnpike Company.

By same—

An act to amend an act, entitled "An act to incorporate the Mississippi River Levee Company," approved January 30, 1872.

By same—

An act to amend an act, entitled "An act to charter the Crab Orchard and Crew's Knob Turnpike Company," approved March 6th, 1850.

By same—

An act to amend an act incorporating the Goshen, Oldhamsburg, and Sligo Turnpike Company.

By same—

An act to incorporate the Big Sandy Highway Bridge Company.

By same—

An act to incorporate the Owensboro and Indiana Bridge Company.

By same—

An act to amend the charter of the Clark and Montgomery Turnpike Road Company.

By same—

An act for the benefit of the Mt. Sterling and Levee Turnpike Road Company.

By same—

An act to amend the act incorporating the Grassy Lick Turnpike Road Company.

By same—

An act for the benefit of the Lagrange and Shelbyville Turnpike Road Company.

By Mr. Chenoweth, from the Committee on Railroads—

An act to provide for the collection of the railroad tax in Montgomery county.

By Mr. Pope, from the Committee on the Judiciary—

An act to amend the charter of Glasgow Junction.

By same—

An act to repeal an act, entitled "An act to amend the charter of Cave City, in Barren county," approved March 8, 1871.

By Mr. Pope, from the Committee on Banks and Insurance—

An act to incorporate the Mercantile Bank of Louisville.

By same—

An act to incorporate the Paducah Universal Deposit and Trading Bank.

By Mr. Frazer, from the Committee on Banks and Insurance—

An act to amend an act, entitled "An act to incorporate the Union County Bank."

By Mr. Standeford, from the Committee on Internal Improvement—

An act to incorporate the New Castle and Gray Farm Turnpike Road Company.

With amendments to the last four named bills.

Which were adopted.

Ordered, That said bills, the last four named as amended, be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Casey, from the Committee on Enrollments, reported that the committee had examined enrolled bills and a resolution, which originated in the Senate, of the following titles, viz:

An act to repeal an act concerning public books, and providing for the supply of destitute counties;

An act authorizing an additional examiner in the town of Ashland, in Boyd county;

An act to authorize the judge of the Warren circuit court to sign the records of said court made on the 5th day of March, 1870;

An act regulating the terms of the McCracken circuit court, and a transfer of cases therein to the McCracken court of common pleas;

An act to regulate the terms and business of the McCracken court of common pleas;

An act to change the terms and regulate the business of the Graves circuit court;

An act providing for a settlement with H. I. Todd, late Lessee and Keeper of the Kentucky Penitentiary;

An act to amend 28th section of chapter 103, of the Revised Statutes, title "Turnpikes and Plank Roads;"

An act to incorporate the Shippers' Tobacco Bank;

An act to incorporate the Greensburg Deposit Bank;

An act to continue in force an act, entitled "An act to increase the compensation to the Public Printer," approved February 25th, 1865;

An act to incorporate the Maysville Building and Savings Association;

An act for the benefit of school district No. 2, in Menifee county;

An act to authorize the Mississippi Central Railroad Company to extend their road into and through the State of Kentucky;

Resolutions in regard to the navigation of the Ohio and other western rivers;

And enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Commercial Bank of Lebanon;

An act to prohibit the sale of spirituous, &c., liquors in Garrard county;

An act in relation to the sale of spirituous and other liquors in the county of Spencer;

An act for the benefit of Jesse K. Howard, school commissioner of Elliott county;

An act for the benefit of the sureties of James B. McWhorter, late sheriff of Taylor county;

An act to establish the Southern Park Association;

An act to incorporate the Church House for Females and Infirmary for the Sick;

An act to incorporate the Newbergh Railway and Real Estate Company;

An act to amend the charter of the town of Upton;

An act to authorize the trustees of the Hancock Seminary to dispose of a lot of ground in Hancock county;

An act to prohibit the sale of ardent, malt, vinous, or spirituous liquors in Webster county;

An act to amend an act, approved December 20th, 1871, re-establishing the common pleas court in Hickman county, and to repeal an amendment thereto, approved 6th February, 1872;

An act to amend an act, entitled "An act to prohibit the sale of spirituous liquors in the town of South Carrollton, in Muhlenburg county," approved February 7, 1870;

An act to prevent the sale of spirituous liquors in Bryantsville district, No. 4, in Garrard county;

An act to incorporate the Falls City Association for the Improvement of the Breeds of Stock;

An act to amend an act, entitled "An act to charter the Hustonville and McKinney's Station Turnpike Road Company;"

An act to amend the charter of the Hanging Fork and Green River Turnpike Road Company;

An act to regulate the times of holding circuit courts in the 15th judicial district;

An act for the benefit of the sureties of John W. Combs, late sheriff of Woodford county;

An act changing the time of holding the quarterly courts in the county of Knox;

An act to incorporate the Citizens' Gas-light Company, of Louisville;

Resolution directing the Auditor to draw his warrant on the Treasury for sundry sums of money;

And had found the same truly enrolled.

Said bills and resolutions having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Casey reported that the committee had performed that duty.

Leave was given to bring in the following bills, viz:

On motion of Mr. Dorman—

1. A bill for the benefit of John W. Green, late sheriff of Owen county.

On motion of Mr. Haydon—

2. A bill for the benefit of the citizens of Hardin county.

On motion of Mr. Pope—

3. A bill to incorporate the Christian Church Widows' and Orphans' Home.

On motion of Mr. Gilbert—

4. A bill to incorporate the Kentucky Institute for the Education of the Children of White Soldiers.

Ordered, That the Committee on Propositions and Grievances prepare and bring in the 1st and 2d; the Committee on Religion and Morals the 3d, and that a select committee, composed of Messrs. McManama, Prichard, Talbott, Cooper, and Burton, be requested to prepare and bring in the 4th.

And then the Senate adjourned.

MONDAY, MARCH 18, 1872.

Hon. John G. Carlisle, Speaker of the Senate, appeared to-day and took the Chair.

A message was received from the House of Representatives, announcing that they had concurred in the amendment proposed by the Senate to a bill, which originated in the House of Representatives, entitled

An act to incorporate the Louisville Stock and Bond Board.

A message was also received from the House of Representatives, announcing that they had passed bills, which originated in the Senate, of the following titles, viz:

An act to incorporate the Louisville and Brownsboro Railway Company.

An act to amend the charter of the Louisville City Railway Company.

An act to amend an act, entitled "An act to incorporate the Contracting and Building Company, for the purpose of building, and aiding in building, railroads, bridges, and telegraph lines," approved March 4th, 1872.

An act to provide for the preservation of the estates and security of persons of unsound mind, who, by the habitual or excessive use of poisonous drugs, have become incompetent to manage themselves and estates with prudence and discretion.

With an amendment to the last named bill.

Which was taken up and concurred in.

That they had passed bills of the following titles, viz:

1. An act to prohibit the sale of spirituous, vinous, or malt liquors in the town of Poplar Plains, in Fleming county.

2. An act to amend the charter of the Eastern Kentucky Railway Company.

3. An act to incorporate the Hartford, Calhoon, and Morganfield Railroad Company.

4. An act for the benefit of the Louisville Industrial Exposition.

5. An act to increase the duties of the county attorney of Barren county.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st to the Committee on Religion and Morals; the 2d and 3d to the Committee on Railroads; the 4th to the Committee on Agriculture and Manufactures, and the 5th to the Committee on Courts of Justice.

A message was also received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to prohibit the sale of intoxicating liquors in Pottsville district, in Washington county.

An act to transcribe certain surveyors' books of Breathitt county.

An act to protect small birds in Bracken county.

An act to prohibit the sale of intoxicating liquors in the town of Claysville.

An act to amend the charter of the Lancaster Cemetery Company.

An act to repeal an act, entitled "An act to prevent the selling of spirituous, vinous, or malt liquors in Germantown precinct, No. 4, in Clark county."

An act to amend the charter of Bryantsville, and further amend an act approved February 14th, 1871.

An act to incorporate the town of Marshall, in Bath county.

An act to incorporate the town of Wingo, in Graves county.

An act to incorporate the Bourbon Female College.

An act to prohibit the sale of spirituous liquors in the town of Antioch, Metcalfe county.

An act to prevent the destruction of fish in Little Kentucky river, and other streams in Carroll and Trimble counties.

Mr. Dorman presented the petition of sundry citizens of Boone county, praying the repeal of the amendments to the Cincinnati Southern Railroad charter.

Which was read and referred to the Committee on Railroads.

Mr. Barlow offered the following resolution, viz:

Resolved, That from and after this day the Senate will meet at nine o'clock, A. M., and adjourn at two o'clock, P. M.

Which was twice read and adopted.

Mr. Conklin offered the following resolution, viz:

1. *Resolved by the General Assembly of the Commonwealth of Kentucky*, That the Public Printer is hereby directed, immediately after the adjournment of this General Assembly, to print, in pamphlet form, properly indexed, a sufficient number of the general laws passed at this session to furnish the Governor and each head of the State departments, the State Librarian, and each Judge of the Court of Appeals, of the circuit courts, common pleas courts, chancery courts, criminal courts, and county courts, and the clerks of said courts, the Attorney General, each Commonwealth's Attorney, and county attorneys, sheriffs, and police judges, and each member of the General Assembly, and the Clerks and Assistant Clerks, Sergeants-at-Arms, and Door-keepers, one copy each of said laws, and mail the same, post-paid, to the above named officers and persons, the postage to be paid by the Treasurer, upon the warrant of the Auditor, to be drawn upon the certificate of the Public Printer as to the amount.

2. That this resolution shall be in force from its passage.

Which was twice read and adopted.

Mr. Prichard moved to reconsider the vote by which the Senate had passed a bill, entitled

An act to amend an act incorporating the Goshen, Oldhamsburg, and Sligo Turnpike Company.

The vote dispensing with the third reading of said bill, as also that ordering it to be read a third time, were also dispensed with.

On motion,

Ordered, That said bill be recommitted to the Committee on Internal Improvement.

The following bills were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Prichard, from the Committee on the Judiciary—

A bill authorizing the clerk of the Boyd circuit court to procure a general cross-index, and to index and cross-index all equity and common law suits of the docket on file in his office.

By Mr. Pope, from the Committee on the Judiciary—

A bill to authorize the Ohio and Mississippi Railway Company to take, hold and convey real estate in the State of Kentucky.

By Mr. Conklin, from the Committee on Revised Statutes and Codes of Practice—

A bill to amend an act, entitled "An act to amend the laws of evidence in this Commonwealth," approved January 30, 1872.

By Mr. Martin, from the Committee on Library and Public Buildings and Offices—

A bill to promote public service in the Auditor's Office.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, the last named bill was ordered to be printed, and placed in the orders of the day, and the rest were ordered to be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The Senate, according to order, took up for consideration a bill, entitled

A bill to amend chapter 84, article 1, "Public Roads," of the Revised Statutes.

On motion,

Ordered, That the further consideration of said bill be postponed to, and made the special order of the day for, to-morrow.

The Senate took up for consideration a bill, entitled

A bill to amend an act, entitled "An act to provide for the organization and regulation of incorporated companies, except banking, insurance, and railroad companies," approved March 15, 1870.

Mr. Pope moved an amendment to said bill.

Which was adopted.

Ordered, That said bill, as amended, be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Webb, from the Committee on Agriculture and Manufactures, to whom had been referred a bill, which originated in the House of Representatives, entitled

An act to incorporate Jefferson Manufacturing and Mining Company,

Reported the same, and asked that it be referred to the Committee on the Judiciary.

Which was granted.

Mr. Hale moved to suspend rule eighty-one for two days.

Mr. Whitaker moved to amend that motion by suspending said rule for the rest of the present session.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Wrightson and Webb, were as follows, viz:

Those who voted in the affirmative, were—

R. A. Burton,	William P. Duvall,	John W. Johnson,
W. H. Chelf,	W. W. Frazer,	A. L. Martin,
J. Q. Chenoweth,	John J. Gatewood,	A. G. Talbott,
G. W. Connor,	J. B. Haydon,	Ben. J. Webb,
F. W. Darby,	G. A. C. Holt,	Emery Whitaker—16.
J. H. Dorman,		

Those who voted in the negative, were—

John S. Barlow,	Jesse C. Gilbert,	Alfred T. Pope,
James F. Clay,	H. S. Hale,	K. F. Prichard,
Wm. L. Conklin,	Edwin Hawes,	Thos. Wrightson—9.

The question was then taken on the adoption of said motion, as amended, and it was decided in the negative (not having received the required two thirds majority).

The yeas and nays being required thereon by Messrs. Prichard and Webb, were as follows, viz:

Those who voted in the affirmative, were—

R. A. Burton,	J. H. Dorman,	John W. Johnson,
W. H. Chelf,	William P. Duvall,	A. G. Talbott,
J. Q. Chenoweth,	John J. Gatewood,	Ben. J. Webb,
G. W. Connor,	J. B. Haydon,	Thos. Wrightson—14.
F. W. Darby,	G. A. C. Holt,	

Those who voted in the negative, were—

John S. Barlow,	Jesse C. Gilbert,	Alfred T. Pope,
James F. Clay,	H. S. Hale,	K. F. Prichard,
Wm. L. Conklin,	Edwin Hawes,	Emery Whitaker—11.
W. W. Frazer,	A. L. Martin,	

Mr. Wrightson then moved to suspend rule eighty-one for one hour and a half.

And the question being taken thereon, it was decided in the negative, not receiving two thirds majority.

The yeas and nays being required thereon by Messrs. Hawes and Wrightson, were as follows, viz:

Those who voted in the affirmative, were—

R. A. Burton,	W. McKee Fox,	A. L. Martin,
W. H. Chelf,	W. W. Frazer,	A. G. Talbott,
J. Q Chenoweth,	J. B. Haydon,	Ben. J. Webb,
F. W. Darby,	G. A. C. Holt,	Thos. Wrightson—14.
William P. Duvall,	John W. Johnson,	

Those who voted in the negative, were—

John S. Barlow,	John J. Gatewood,	Alfred T. Pope,
James F. Clay,	Jesse C. Gilbert,	K. F. Prichard,
Wm. L. Conklin,	H. S. Hale,	Emery Whitaker—11.
J. H. Dorman,	Edwin Hawes,	

Mr. Holt offered the following resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Public Printer print 5,000 copies of a synopsis of the Acts of the present General Assembly, and that he forward the same by mail to the members of the Senate and House of Representatives.

Which was twice read and adopted.

The Senate took up for consideration a resolution, which originated in the House of Representatives, entitled

Resolution for the benefit of B. E. Woodworth.

Said resolution reads as follows, viz:

[*For resolution—see Session Acts present session.*]

The question was then taken on the adoption of the amendment proposed by the Committee on Claims, which reads as follows, viz: "*Provided*, said sum shall not exceed two hundred dollars," and it was decided in the negative

The question was then taken on concurring in said resolution, and it was decided in the negative, not having received the constitutional majority.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

R. A. Burton,	William P. Duvall,	A. L. Martin,
James F. Clay,	W. W. Frazer,	Alfred T. Pope,
Wm. L. Conklin,	John J. Gatewood,	K. F. Prichard,
G. W. Connor,	J. B. Haydon,	A. G. Talbott,
F. W. Darby,	G. A. C. Holt,	Ben. J. Webb—17.
J. H. Dorman,	John W. Johnson,	

Those who voted in the negative, were—

John S. Barlow,	Jesse C. Gilbert,	Emery Whitaker,
W. H. Chelf,	Edwin Hawes,	Thos. Wrightson—6.

So said resolution was disagreed to.

Mr. Whitaker then moved to reconsider the vote by which said resolution was disagreed to.

Which was adopted.

The question was then again taken on concurring in said resolution, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	J. H. Dorman,	John W. Johnson,
R. A. Burton,	W. McKee Fox,	A. L. Martin,
W. H. Chelf,	W. W. Frazer,	Alfred T. Pope,
J. Q. Chenoweth,	John J. Gatewood,	K. F. Prichard,
James F. Clay,	Jesse C. Gilbert,	A. G. Talbott,
Wm. L. Conklin,	J. B. Haydon,	Ben. J. Webb,
G. W. Connor,	G. A. C. Holt,	Emery Whitaker—22.
F. W. Darby,		

Those who voted in the negative, were—

Edwin Hawes, Thos. Wrightson—2.

Resolved, That the title of said resolution be as aforesaid.

The Senate took up for consideration bills of the following titles, viz:

1. A bill to amend an act, entitled "An act to amend chapter 15, title 10, Civil Code of Practice," approved March 16, 1869.

2. A bill to incorporate Brawner's Patent Levee Company.

3. A bill to establish a system of public free schools for the city of Bowling Green.

4. A bill to amend section 2, chapter 63, article 1, of the Revised Statutes, title "Limitations of Actions and Suits."

5. A bill to authorize courts to require certain sales and warning orders to be advertised in newspapers.

6. A bill to regulate the sale of real estate held by joint tenants, tenants in common, or coparceners.

Ordered, That the 5th be made the special order of the day for to-morrow, at 11 o'clock, A. M.; that the 6th be made the special order of the day for Thursday next, the 21st inst., at 11 o'clock, A. M., and that all the others be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The Senate took up for consideration a bill, entitled

A bill amending title 5 of the Civil Code of Practice.

Mr. Prichard moved an amendment to said bill.

Which was adopted.

Ordered, That said bill, as amended, be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The Senate took up for consideration a bill, entitled

A bill to enable the qualified voters residing within one mile of any college or high school to prohibit, by vote, the selling, vending, or furnishing in any way, except for medical purposes, any spirituous, vinous, or malt liquors within such district.

Mr. Hawes moved to lay said bill on the table.

Which motion was adopted.

The Senate took up for consideration a bill, which originated in the House of Representatives, entitled

An act for the benefit of Stephen T. Blair and Samuel Blair, of Letcher county.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The Senate took up for consideration a bill, entitled

A bill concerning divorces.

Mr. Darby proposed an amendment to said bill.

Pending the consideration of which, on motion,

Ordered, That the further consideration of said bill be postponed to, and made the special order of the day for, Thursday next, the 21st inst.

The Senate took up for consideration a bill, which originated in the House of Representatives, entitled

An act relating to the Lunatic Asylums and other institutions of public charity in the State.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That it shall be the duty of the managers of each and every asylum and public charity of this State to cause the superintendent, treasurer, or secretary of such institution to lay before them, within ten days of the close of each month, a detailed account of all the receipts and expenditures of such institutions during the preceding month, with the vouchers therefor, headed by a recapitulation of the aggregate receipts and expenditures of such month.

§ 2. It shall be the duty of the managers, or such committee as the managers may appoint, or, in the absence of both, it shall be the duty of the superintendent to examine the reports and vouchers on which the same is made, and to certify the correctness of the account; and the president or superintendent shall seal up and transmit said report to the Secretary of State, to be safely kept by him for examination of any person interested.

§ 3. The monthly reports shall show the sources and persons from whom all moneys were received, and the persons to whom payments were made, and what for.

§ 4. It shall be the duty of the superintendent of each of said institutions, at the end of each month, to cause a list to be made out of all the persons employed under pay at such institution, and the amount agreed to be paid to each, and also a list of all the patients as pupils at each institution, showing the pay patients or pupils, and those provided for out of the Public Treasury, and to transmit the same within ten days after the close of each month to the Secretary of State, to be kept safely by him for the inspection of any person interested in same.

§ 5. It shall be the duty of the appropriate committee of the Lower House, immediately after the organization and the appointment of same, to call upon the Secretary of State for said reports,

and from them to make out such report to the Legislature as the facts may warrant, showing how such institutions have been managed, and the cost of managing same, and such suggestions as may be deemed of service to the General Assembly, returning said reports to the Secretary.

§ 6. It shall be the duty of the Governor of this Commonwealth, whenever he deems it of importance to do so, when the Legislature is not in session, to appoint two competent persons to examine and report to him upon any matters pertaining to the management and conduct of any of the public institutions of the State; and such commissioners shall have power and authority to examine witnesses, on oath, and to compel their attendance for that purpose by the aid of the sheriff.

§ 7. The expenses of any commission sent by the Governor, together with compensation to the commissioners, not to exeeed five dollars per day each, and expenses, shall be paid, on the certificate of the Governor, by the Auditor and Treasurer, out of any money in the Treasury not otherwise appropriated.

§ 8. This act shall take effect from its passage.

Mr. Conklin offered the following amendment to said bill, viz:

Amend in line four, section four, after the word "institution," and before the word "showing," the following words: "without giving names."

Ordered, That said bill, as amended, be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Frazer and Talbott, were as follows, viz

Those who voted in the affirmative, were—

R. A. Burton,	Jesse C. Gilbert,	G. A. C. Holt,
J. Q. Chenoweth,	Edwin Hawes,	K. F. Prichard,
James F. Clay,	J. B. Haydon,	A. G. Talbott—10.
Wm. L. Conklin,		

Those who voted in the negative, were—

John S. Barlow,	John J. Gatewood,	Alfred T. Pope,
J. H. Dorman,	H. S. Hale,	Ben. J. Webb,
Wm. P. Duvall,	John W. Johnson,	Emery Whitaker—11.
W. W. Frazer,	A. L. Martin,	

The Senate, according to order, took up for consideration a bill, entitled

A bill to amend section 142 of the Civil Code of Practice.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Prichard and Gilbert, were as follows, viz:

Those who voted in the affirmative, were—

W. H. Chelf,	W. McKee Fox,	J. B. Haydon,
J. Q. Chenoweth,	W. W. Frazer,	John W. Johnson,
Wm. L. Conklin,	John J. Gatewood,	Ben. J. Webb,
J. H. Dorman,	Jesse C. Gilbert,	Emery Whitaker,
William P. Duvall,	H. S. Hale,	Thos. Wrightson—15.

Those who voted in the negative, were—

John S. Barlow,	F. W. Darby,	Alfred T. Pope,
R. A. Burton,	Edwin Hawes,	K. F. Prichard,
James F. Clay,	A. L. Martin,	A. G. Talbott—10.
G. W. Connor,		

Resolved, That the title of said bill be as aforesaid.

The Senate took up for consideration a bill, which originated in the House of Representatives, entitled

An act for the benefit of Woodford county.

The vote dispensing with the third reading of said bill, as also that ordering it to be read a third time, were reconsidered.

Mr. Chenoweth offered an amendment to said bill, which was adopted.

Mr. Conklin moved to postpone the further consideration of said bill till Wednesday next, the 20th inst., at 11 o'clock, A. M.

Which motion was rejected.

Ordered, That said bill, as amended, be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. John W. Johnson, from the Committee on Religion and Morals—

An act submitting to the qualified voters of Josh Bell county

the question of prohibiting the sale of spirituous liquors in said county.

By Mr. Hawes, from the Committee on Religion and Morals—

An act to prohibit the sale of spirituous, vinous, or malt liquors in the precinct of Millersburg, Bourbon county.

By Mr. Duvall, from the Committee on Internal Improvement—

An act to provide for the construction and completion of turnpike roads in Harrison county.

By same—

An act to incorporate the Pendleton Station and Wolf Run Turnpike Road Company.

By same—

An act for the benefit of John D. Boyes, of Magoffin county.

By same—

An act to amend the Eminence and Sulphur Station Turnpike Road Company.

By same—

An act to amend the charter of the Carrollton and Eagle Creek Turnpike Road Company.

By same—

An act to amend the charter of the Smithfield and Shelbyville Turnpike Road Company.

By same—

An act to amend the New Castle and Bethlehem Turnpike Road Company.

By Mr. Webb, from the Committee on Agriculture and Manufactures—

An act to incorporate the Frankfort Commonwealth Printing Company

By same—

An act to change the time of electing the officers of the Madison County Stock, Agricultural, and Mechanical Association.

By Mr. Gilbert, from the Committee on Courts of Justice—

An act to require the clerk of the Lincoln circuit court to make cross-index, and pay him for the same.

By same—

An act to amend an act, entitled "An act to amend an act, entitled 'An act for the benefit of Lincoln county.'"

By Mr. Clay, from the Committee on the Judiciary—

An act to establish and provide for certain precincts and voting places in the city of Lexington and county of Fayette.

By Mr. John W. Johnson, from the Committee on Religion and Morals—

An act to incorporate the Owingsville Cemetery Company.

By Mr. Dorman, from the Committee on Religion and Morals—

An act to incorporate the Good Templars' Joint Stock Company, of the town of Monterey, in Owen county.

With amendments to the last three named bills.

Which were adopted.

Ordered, That said bills, the last three named as amended, be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Connor, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act to provide for the preservation of the estates and security of persons of unsound mind, who, by the habitual or excessive use of poisonous drugs, have become incompetent to manage themselves and estates with prudence and discretion;

An act for the benefit of Pearce, Wallingford & Co.;

An act to amend an act, entitled "An act to incorporate the German Bank and Insurance Company," approved March 10th, 1869;

An act to amend the charter of the Elizabethtown, Lexington, and Big Sandy Railroad Company;

An act to incorporate the Kentucky Commercial and Manufacturing Company;

An act to limit the power of the Barren county court in ordering elections for subscription of stock to the Cumberland and Ohio Railroad Company;

An act to amend the charter of the city of Maysville;

An act for the benefit of the Kentucky Central Railroad Company and the Elizabethtown, Lexington, and Big Sandy Railroad Company;

And enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to lay off the State into ten Congressional Districts;

An act to incorporate the Louisville Stock and Bond Board;

An act to create the office of county treasurer for Campbell county;

An act to regulate the sale of spirituous, vinous, and malt liquors in Lewisport justices' district, in Hancock county;

An act to amend an act to incorporate the Broadway and Dunkirk Railway Company, approved March 23, 1871;

An act to repeal the second, third, and fourth sections of an act to amend an act to incorporate St. Paul's Protestant Episcopal Church in Newport, Kentucky, approved February 6th, 1871;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee, to be presented to the Governor for his approval and signature.

After a short time, Mr. Connor reported that the committee had performed that duty.

The Senate took up for consideration the resolution heretofore introduced by Mr. Fox, entitled

Resolution in relation to the removal of the Capital.

Mr. Talbott moved to postpone the consideration of said resolution indefinitely.

Mr. Martin then moved the previous question.

Pending the consideration of which motion, the hour fixed for adjournment having arrived, further action thereon was cut off.

And then the Senate adjourned.

TUESDAY, MARCH 19, 1872.

A message was received from the House of Representatives, announcing that they had receded from their first amendment to a bill, which originated in the Senate, entitled

An act to incorporate the Bank of Commerce.

That they had concurred in the amendments proposed by the Senate to bills, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Scuffletown Fence Company.

An act to amend the charter of the Union and Richwood Turnpike Road Company.

An act to prohibit the sale of liquor in Letcher county.

An act to prohibit the sale of intoxicating liquors in Pulaski county.

An act to incorporate the town of Paintsville.

An act for the benefit of the New Liberty and Owenton Turnpike Road Company.

An act to incorporate the Broadway Baptist Church, of Louisville.

An act to amend an act, entitled "An act to incorporate the town of Corydon, in the county of Henderson," approved February 15th, 1868.

An act to incorporate the Louisville Iron and Steel Rail Manufacturing Company.

An act to amend the charter of the town of Curdsville, in Daviess county.

An act to amend an act, entitled "An act to reduce into one the several acts in relation to the town of Richmond."

That they had disagreed to the passage of a bill, which originated in the Senate, entitled

An act for the benefit of school district No. 41, in Green county.

That they had passed bills, which originated in the Senate, of the following titles, viz:

An act for the benefit of Wolfe county.

An act to amend the criminal laws of this Commonwealth.

An act to prevent the destruction of fish in Mercer county.

An act for the benefit of Lee county.

An act to prevent the sale of spirituous, vinous, or malt liquors within a half mile of Mount Gilead and Macedonia Churches, near Allensville, in Todd county.

That they had passed bills of the following titles, viz:

1. An act to extend the time of payment of railroad taxes in Bourbon county.

2. An act to prevent and punish certain trespasses in Scott and Woodford counties.

3. An act authorizing the Buffalo Springs Cemetery to have lands condemned for their use.

4. An act for the benefit of Farish Arnett, sheriff of Magoffin county.

5. An act for the benefit of Amos Davis, sheriff of Morgan county.

6. An act providing for the collection of railroad tax in Elliott county.

7. An act to amend an act, entitled "An act for the benefit of Boone county," approved January 30th, 1871.

8. An act to establish an additional voting place in election district No. 3, in Lyon county.

9. An act to authorize the county court of Green county to create and establish an additional voting place in district No. 3, in Green county.

10. An act to amend an act, entitled "An act to incorporate the Henderson Running Park Association," approved March 9th, 1868.

11. An act to amend an act, entitled "An act to incorporate the town of Hinklesville, in Ballard county," approved March, 1868.

12. An act to repeal an act, entitled "An act to prevent the destruction of fish in Green river and its tributaries, so far as it applies to Martin's creek and Hurricane pond or slough, in Daviess county."

13. An act to regulate the terms of the Boyle county quarterly court.

14. An act to amend an act, entitled "An act to require the county courts to have one or more fire-proof vaults for the safe-keeping of public records in their respective counties."

15. An act to authorize the county court of Trigg county to sell the poor-house therein.

16. An act for the benefit of the county and circuit court clerks of Boyd county.

17. An act to authorize the Boone county court to appoint trustees for the Burlington burying ground, and prescribing their duties.

18. An act for the benefit of A. S. Arnold, late sheriff of Hickman county.

19. An act to authorize the county court of Hickman county to raise money to build a new court-house in said county, in the town of Clinton.

20. An act to locate the county seat of Hickman county.

21. An act legalizing orders and proceedings of the Pulaski county court.

22. An act for the benefit of A. McCampbell, late sheriff of Jessamine county.

23. An act to authorize the members of the bar of the Kenton county court to elect a special judge.

24. An act to incorporate the town of Linton, in Trigg county.

25. An act regulating the time of listing property for local purposes in Washington county.

26. An act to exempt Pulaski and Clinton counties from the provisions and requirements of an act approved February 11th, 1867.

27. An act to incorporate the Lancaster Benevolent Society.

28. An act to change the time of holding the court of claims of Carter county.

29. An act authorizing the Carter county court to appoint a commissioner and receiver of funds collected in said county for the purpose of meeting the subscription to the Lexington and Big Sandy Railroad Company.

30. An act to change the time of holding the court of claims in the county of Robertson.

31. An act for the benefit of John S. Mattingly, sheriff of Meade county.

32. An act to authorize the county court of Madison county to sell the stock owned by said county in the Louisville and Nashville Railroad Company, and reinvest the proceeds of sale.

33. An act for the benefit of Webster county.

34. An act for the benefit of justices of the peace in Webster county.

35. An act for the benefit of H. S. Powell, of Jackson county.

36. An act to incorporate the Bank of Webster.

37. An act for the benefit of E. P. Thomas, clerk of the Henry county court.

38. An act to confer upon the town marshal of Parksville, in Boyle county, the rights, duties, and powers of constables in certain civil cases.

39. An act to amend section two of an act, entitled "An act to amend chapter 84 of the Revised Statutes, title 'Roads and Passways,'" approved February 20th, 1869.

40. An act to authorize the school commissioner of Hardin county to sell the property known as the Hardin County Male Seminary.

41. An act to amend an act, entitled "An act concerning public books, and providing for the supply of destitute counties."

42. An act to empower the trustees of the town of Cadiz to sell the old cemetery property not inclosed.

43. An act to require the clerk of the Johnson county court to index certain order-books and other records in his office.

44. An act for the benefit of Washington county.

45. An act to legalize and render valid the actions of the Garrard county court.

46. An act to amend an act establishing a graded road leading from London, in Laurel county, to Booneville, in Owsley county.

47. An act to empower the overseer of the State road in Trigg county to make a change in said road.

48. An act to create an additional justices' district in Washington county.

49. An act to amend the charter of Elizabethtown.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st and 6th to the Committee on Railroads; the 2d, 3d, 8th, 9th, 10th, 11th, 12th, 19th, 20th, 24th, 25th, 27th, 32d, 41st, 42d, and 48th to the Committee on the Judiciary; the 4th, 5th, 22d, 31st, and 37th to the Committee on Finance; the 7th, 14th, 15th, 16th, 17th, 18th, 21st, 23d, 26th, 28th, 29th, 30th, 33d, 34th, 35th, 38th, 43d, and 44th to the Committee on Courts of Justice; the 36th to the Committee on Banks and Insurance; the 39th to the Committee on Revised Statutes and Codes of Practice; the 46th and 47th to the Committee on Internal Improvement, and the 13th, 40th, 45th, and 49th were ordered to be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A message was received from the Governor by Mr. Botts, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills and resolutions, which originated in the Senate, of the following titles, viz:

An act to authorize the Mississippi Central Railroad Company to extend their road into and through the State of Kentucky.

An act for the benefit of the Kentucky Central Railroad Company and the Elizabethtown, Lexington, and Big Sandy Railroad Company.

An act to incorporate the Mattingly Coal Company.

An act regulating the terms of the McCracken circuit court, and a transfer of cases therein to the McCracken court of common pleas.

An act to regulate the terms and business of the McCracken court of common pleas.

An act to incorporate the Shippers' Tobacco Bank.

An act to incorporate the Greensburg Deposit Bank.

An act to amend 28th section of chapter 103, of the Revised Statutes, title "Turnpikes and Plank Roads."

An act to change the terms and regulate the business of the Graves circuit court.

An act to repeal an act concerning public books, and providing for the supply of destitute counties.

An act to authorize the judge of the Warren circuit court to sign the records of said court made on the 5th day of March, 1870.

An act authorizing an additional examiner in the town of Ashland, in Boyd county.

An act to incorporate the Maysville Building and Savings Association.

An act for the benefit of school district No. 2, in Menifee county.

An act to continue in force an act, entitled "An act to increase the compensation to the Public Printer," approved February 25th, 1865.

An act to incorporate the West Liberty and Cross Roads Turnpike Road Company.

An act to amend an act, entitled "An act to incorporate the German Bank and Insurance Company," approved March 10th, 1869.

An act for the benefit of Pearce, Wallingford & Co.

An act to amend the charter of the city of Maysville.

An act to incorporate the Kentucky Commercial and Manufacturing Company.

An act to limit the power of the Barren county court in ordering elections for subscription of stock to the Cumberland and Ohio Railroad Company.

An act to amend the charter of the Elizabethtown, Lexington, and Big Sandy Railroad Company.

An act to provide for the preservation of the estates and security of persons of unsound mind, who, by the habitual or excessive use of poisonous drugs, have become incompetent to manage themselves and estates with prudence and discretion.

Resolutions in regard to the navigation of the Ohio and other western rivers.

On motion of Mr. Barlow, Messrs. Whitaker and Frazer were added to the Committee on Claims.

The following bills were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Talbott, from a select committee—

A bill to assist in the completion of the Washington National Monument.

By Mr. J. W. Johnson, from the Committee on Education—

A bill for the benefit of school district No. 1, of Ohio county.

By Mr. Haggard, from the Committee on Propositions and Grievances—

A bill for the benefit of John W. Green, late sheriff of Owen county.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, the first was made the special order of the day for to-morrow at half-past nine o'clock, A. M., and the rest were ordered to be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Gilbert, from the Committee on Courts of Justice—

An act to legalize certain orders of the Clinton county court;

By Mr. Pope, from the Committee on the Judiciary—

An act repealing parts of an act relating to the advertisement of land sales in Owen county;

By same—

An act to charter the Winchester Odd Fellows' and Masonic Temple Company;

By Mr. Prichard, from the Committee on the Judiciary—

An act regulating defenses in actions of trespass in Carroll and Trimble counties;

By same—

An act to provide for the submission to the voters of Ballard county the question of the annexation of a part of Ballard to Hickman county;

With the expression of opinion that said bills ought not to pass.

And the question being taken on ordering said bills to be read a third time, the opinion of the committee to the contrary notwithstanding, it was decided in the negative.

So said bills were disagreed to.

The Senate took up for consideration a bill, entitled.

A bill to provide for the organization and regulation of banking companies.

Mr. Pope offered sundry amendments to said bill, all of which were adopted.

Ordered, That said bill, as amended, be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be amended to read,

An act to provide for the organization and regulation of banking companies, and to repeal various charters.

Mr. Dorman moved to reconsider the vote by which the Senate had passed a bill, which originated in the House of Representatives, entitled

An act to amend the charter of the Carrollton and Eagle Creek Turnpike Road Company.

Which motion was adopted.

Ordered, That said bill be recommitted to the Committee on Internal Improvement.

Mr. Whitaker, from a select committee, to whom had been referred a bill, which originated in the House of Representatives, entitled

An act to provide for voting by ballot in the election of Representatives in Congress,

Reported the same with sundry amendments, all of which were adopted.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The Senate took up for consideration bills of the following titles, viz:

A bill to promote public service in the Auditor's Office.

A bill to amend chapter 84, article 1, "Public Roads," of the Revised Statutes.

Ordered, That the first be made the special order of the day for to-morrow, and that the second be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The Senate resumed the consideration of the resolution, entitled

Resolution in relation to the removal of the Capital.

Mr. Talbott moved to postpone the further consideration of said resolution indefinitely.

Which motion was adopted.

The Senate took up for consideration a bill, which originated in the House of Representatives, entitled

An act for the benefit of James Turner, late sheriff of Perry county.

The question was then taken on the motion heretofore made by Mr. Martin to reconsider the vote by which the Senate had disagreed to the passage of said bill, and it was decided in the affirmative.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

Resolved, That the title of said bill be as aforesaid.

The Senate, according to order, took up for consideration a bill, entitled

A bill to amend an act, entitled "An act directing the purchase of Collins' Historical Sketches of Kentucky."

Mr. Gilbert moved to postpone the further consideration of said bill indefinitely.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Cooper and Chenoweth, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	John J. Gatewood,	A. L. Martin,
J. Q. Chenoweth,	Jesse C. Gilbert,	K. F. Prichard,
G. W. Connor,	D. R. Haggard,	A. G. Talbott,
F. W. Darby,	Edwin Hawes,	Ben. J. Webb,
J. H. Dorman,	John W. Johnson,	Emery Whitaker—16.
W. W. Frazer,		

Those who voted in the negative, were—

James F. Clay,	H. S. Hale,	O. D. McManama,
John E. Cooper,	J. B. Haydon,	Thos. Wrightson—7.
William P. Duvall,		

Mr. Haggard, from the Committee on Propositions and Grievances, reported a bill, entitled

A bill to light up railroad tunnels in this Commonwealth.

Which bill was read the first time and ordered to be read a second time.

Said bill was read a second time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the presidents of all the railroads in Kentucky shall cause to be kept a number of lights in each tunnel used on each railroad, sufficient to enable any person to travel through each tunnel without any difficulty, and that cars passing through each tunnel can be discovered before collisions shall take place.

§ 2. A failure to comply with the provisions of this act within ninety days from its passage shall subject the president of any railroad, operating trains of cars through a tunnel in this Commonwealth, to a fine of not less than one hundred dollars nor more than five hundred dollars, to be recovered by the Commonwealth of Kentucky by indictment in a court having jurisdiction of said offense.

§ 3. It is hereby made the duty of the several circuit judges of this Commonwealth to give this act in charge to their respective grand juries.

§ 4. This act shall take effect thirty days from its passage.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Haggard and Prichard, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	John J. Gatewood,	A. L. Martin,
E. P. Campbell,	Jesse C. Gilbert,	Alfred T. Pope,
J. Q. Chenoweth,	D. R. Haggard,	K. F. Prichard,
John E. Cooper,	J. B. Haydon,	A. G. Talbott—13.
W. McKee Fox,		

Those who voted in the negative, were—

G. W. Connor,	Edwin Hawes,	E. D. Standeford,
J. H. Dorman,	John W. Johnson,	Ben. J. Webb,
W. W. Frazer,	O. D. McManama,	Emery Whitaker—9.

Resolved, That the title of said bill be as aforesaid.

Mr. Barlow, from a select committee, reported a bill, entitled

A bill to increase the jurisdiction of the quarterly court and that of the justices of the peace of Bracken county.

Which bill was read the first time and ordered to be read a second time.

Said bill was read a second time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the judge of the quarterly court of Bracken county shall have concurrent jurisdiction with the circuit court in all civil cases, where the amount in controversy does not exceed two hundred dollars, exclusive of interest and costs, and where the right or boundary of real estate is not drawn in question.

§ 2. That the justices of the peace of Bracken county shall have original common law jurisdiction in all cases of contract, written or verbal, express or implied, where the debt or damage claimed does not exceed one hundred dollars.

§ 3. That said justices of the peace shall have original jurisdiction in law and equity of all cases where the amount in controversy does not exceed thirty dollars.

§ 4. That the mode of procedure or pleading in said courts shall remain as now provided by law.

§ 5. That this act shall be in force from its passage.

Mr. Clay moved to amend said bill by including in the provisions thereof the counties of Union, Henderson, and Webster.

Which was adopted.

Mr. Burton moved to amend said bill by extending the provisions thereof to the counties of Marion, Washington, and Taylor.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. McManama and Haggard, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	W. W. Frazer,	O. D. McManama,
R. A. Burton,	John J. Gatewood,	Alfred T. Pope,
J. Q. Chenoweth,	Jesse C. Gilbert,	K. F. Prichard,
James F. Clay,	D. R. Haggard,	E. D. Standeford,
G. W. Connor,	John W. Johnson,	Ben. J. Webb—17.
William P. Duvall,	A. L. Martin,	

Those who voted in the negative, were—

E. P. Campbell,	Edwin Hawes,	Emery Whitaker,
John E. Cooper,	A. G. Talbott,	Thos. Wrightson—7.
J. H. Dorman,		

Mr. Frazer then moved to amend said bill by extending the provisions thereof to the counties of Logan, Todd, and Simpson.

Which motion was adopted.

Ordered, That said bill, as amended, be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Cooper and Talbott, were as follows, viz

Those who voted in the affirmative, were—

John S. Barlow,	W. W. Frazer,	O. D. McManama,
R. A. Burton,	John J. Gatewood,	Alfred T. Pope,
J. Q. Chenoweth,	D. R. Haggard,	K. F. Prichard,
James F. Clay,	John W. Johnson,	Ben. J. Webb—14.
F. W. Darby,	A. L. Martin,	

Those who voted in the negative, were—

E. P. Campbell,	H. S. Hale,	A. G. Talbott,
John E. Cooper,	Edwin Hawes,	Emery Whitaker,
Jesse C. Gilbert,	E. D. Standeford,	Thos. Wrightson—9.

Resolved, That the title of said bill be as aforesaid.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Gilbert, from the Committee on Courts of Justice—

An act for the benefit of Kenton county.

By same—

An act to legalize the judgments and orders of the Greenup county quarterly court at its March term, 1869.

By same—

An act changing the time of holding the February term of the Franklin circuit court.

By same—

An act concerning the settlement of the accounts of Jordan Clark and Thomas P. Smith, late receivers of the Louisville chancery court.

By Mr. Darby, from the Committee on Courts of Justice—

An act to amend the charter of the Paducah Gas-light Company.

By same—

An act for the benefit of the estate and infant heirs of Harvey Usher, late of Ballard county.

By same—

An act to amend the charter and laws of the town of Belleview, in Campbell county.

By Mr. Standeford, from the Committee on Internal Improvement—

An act to incorporate the Bardstown and Fairfield Turnpike Road Company.

By same—

An act to amend an act to incorporate the Eminence and Smithfield Turnpike Road Company.

By same—

An act to amend the charter of the Ghent and Eagle Creek Turnpike Road Company.

By same—

An act for the benefit of citizens of Garrard county.

By same—

An act to incorporate the Steele's Turnpike Road Company.

By same—

An act for the benefit of the Sulphur Well Branch of the Nicholasville and Kentucky River Turnpike Road Company.

By same—

An act to amend the charter of the Fisherville and Buck Creek Turnpike Road Company.

By same—

An act to regulate the rates of toll on the Germantown and Bridgeville Turnpike Road.

By same—

An act to amend an act to incorporate the Shelbyville and Burk's Branch Turnpike Road Company.

By same—

An act to amend the charter of the Cloverport and Hardinsburg Turnpike Road Company, in Breckinridge county.

By same—

An act to amend the charter of the Flat Rock and Floyd's Fork Turnpike Road Company.

By same—

An act to incorporate the Harrodsburg and Chaplin River Turnpike Road Company.

By same—

An act to incorporate the Paducah and Hinkleville Gravel Road Company.

By same—

An act to amend the charter of the Fox Run and Lagrange Turnpike Road Company, in Shelby county.

By same—

An act to amend the charter of the Simpsonville and Buck Creek Turnpike Road Company, in Shelby county.

By same—

An act to incorporate the Kingston and Boone's Gap Turnpike Road Company, in Madison county.

By same—

An act for the benefit of the Orangeburg and Tollsboro Turnpike Road Company, in Mason county.

By same—

An act to incorporate the Paducah and Mayfield Gravel Road Company.

By same—

An act for the benefit of the Germantown and North Fork Turnpike Road Company, in Mason county.

By same—

An act to charter the Lockport and Bethlehem Turnpike Road Company.

By same—

An act to charter the Mouth of Drennon and Turner's Station Turnpike Road Company.

By Mr. Duvall, from the Committee on Internal Improvement—

An act for the benefit of turnpike roads in Scott county.

By same—

An act to amend the charter of the Lowell and Spoonsville Turnpike Road Company," approved February 1, 1868.

By same—

An act to amend an act to authorize the Shelby county court to issue bonds for the benefit of turnpike roads.

By Mr. Pope, from the Committee on the Judiciary—

An act for the benefit of Clark county.

By same—

An act for the benefit of Winchester Lodge, No. 20, A. Y. F. and Accepted Masons.

By Mr. Prichard, from the Committee on the Judiciary—

An act for the benefit of Henry C. Lucas, of Russell county.

By Mr. Webb, from the Committee on Agriculture and Manufactures—

An act for the benefit of the Louisville Industrial Exposition.

By Mr. Haggard, from the Committee on Internal Improvement—

An act in aid of the construction of a levee on the Mississippi River, in Fulton county.

By Mr. Pope, from the Committee on the Judiciary—

An act for the benefit of Maggie G. Roberts, of Montgomery county.

By Mr. Clay, from the Committee on the Judiciary—

An act to revise, amend, and reduce into one the acts pertaining to the district of Highland, in the county of Campbell.

With amendments to the last three named bills.

Which were adopted.

Ordered, That said bills, the last three named as amended, be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Cooper, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act to incorporate the Bank of Owen;

An act to incorporate the Bank of Uniontown;

An act to incorporate the Deposit Bank of Carrollton;

An act to incorporate the Uniontown Deposit Bank;

An act to incorporate the Louisville and Brownsboro Railway Company;

An act to amend the charter of the Louisville City Railway Company;

An act to amend an act, entitled "An act to incorporate the Contracting and Building Company, for the purpose of building, and aiding in building, railroads, bridges, and telegraph lines," approved March 4th, 1872;

And enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of the Farmers' Bank of Kentucky;

An act to protect the owners of land, and to prevent certain trespasses, in Logan and Todd counties;

An act for the benefit of the New Liberty Branch Turnpike Road Company, in Owen county;

An act for the benefit of Joseph Gardner, of Magoffin county;

An act for the benefit of the Georgetown, Oxford, and Leesburg Turnpike Road Company;

An act for the benefit of the Chilesburg and Clintonville Turnpike Road Company;

An act to incorporate the Boone Bridge Company;

An act to repeal an act, entitled "An act to amend an act, entitled 'An act incorporating Sherburn Bridge Company,'" approved March 14th, 1871;

An act to amend the charter of the Bank Lick and Lexington Road Junction Turnpike Company;

An act to amend an act, entitled "An act to incorporate the Covington Street Railway Company;"

An act to amend an act, entitled "An act to incorporate the Mississippi River Levee Company," approved January 30, 1872;

An act to amend an act, entitled "An act to charter the Crab Orchard and Crew's Knob Turnpike Company," approved March 6th, 1850;

An act to amend the charter of the Stanford and Milledgeville Turnpike Road Company;

An act to amend the charter of the Glasgow Railroad Company;

An act to amend an act, entitled "An act to charter the Owensboro and Russellville Railroad Company;"

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee, to be presented to the Governor for his approval and signature.

After a short time, Mr. Cooper reported that the committee had performed that duty.

And then the Senate adjourned.

WEDNESDAY, MARCH 20, 1872.

A message was received from the House of Representatives, announcing that they had concurred in the amendment proposed by the Senate to a bill, which originated in the House of Representatives, of the following title, viz:

An act for the benefit of Woodford county.

That they had disagreed to the passage of a bill, which originated in the Senate, entitled

An act to authorize county judges to call special terms of their courts, and legalizing the proceedings of all special or called terms of said court.

That they had passed bills, which originated in the Senate, of the following titles, viz:

An act to change the time of holding the Estill quarterly court.

An act to authorize the Casey county court to increase the county levy in said county.

An act to legalize certain proceedings of the Boone county court.

An act to extend the time of collecting the fee bills of E. H. Logan, late clerk of the Rowan county and circuit courts.

An act to authorize the Lawrence county court to levy an ad valorem and per capita tax for county purposes.

An act to amend an act, entitled "An act to empower county courts to take stock in turnpike roads in this Commonwealth."

An act to legalize certain proceedings of the Owen county court.

An act to repeal an act, entitled "An act to authorize the marking and defining and establishing the line between the counties of Pendleton and Grant."

An act for the benefit of Dillion Asher, jailer of Josh Bell county.

An act for the benefit of W. S. Hicks, sheriff of Henderson county, and his sureties.

An act for the benefit of Boone county.

An act to amend and explain an act, entitled "An act to amend an act, entitled 'An act to incorporate the Frankfort, Paris, and Big Sandy Railroad Company.'"

An act for the benefit of James Rhea Boyd.

An act to provide for indexing deed-books in Caldwell county.

An act for the benefit of the county court of Meade county.

An act to amend an act, entitled "An act to transcribe the surveyor's book and records of Cumberland county."

An act to amend the charter of the Frankfort, Paris, and Big Sandy Railroad Company.

An act requiring the Jefferson county court to appoint a measurer of tan-bark for said county.

An act to define and locate the county line between the counties of Elliott and Rowan.

An act to incorporate the Westport, Carrollton, and Ghent Railroad Company.

An act to incorporate the Ohio Valley Railroad Company.

An act to amend an act, entitled "An act to incorporate the Kentucky and Tennessee Railroad Company," approved February 25th, 1871.

An act to amend the charter of the Louisville, Cincinnati, and Lexington Railroad Company.

An act to authorize the Warren county court to submit the question of the adoption of an act amending the law in relation to roads, passed 17th day of February, 1866, to the voters of said county.

With amendments to the last five named bills.

The last of which was taken up, twice read, and concurred in.

That they had passed bills of the following titles, viz:

1. An act to require the clerk of the Kenton county court to make a cross-index of deeds and mortgages recorded at Covington.

2. An act to amend an act, entitled "An act amending the public school laws in the city of Owensboro," passed and approved the present session of the Legislature.

3. An act to amend the charter of the Louisville, Memphis, and New Orleans Railway Company.

4. An act to authorize the city of Henderson to issue bonds for railroad purposes.

5. An act to regulate the running of trains on the Louisville and Nashville Railroad, in the town of Elizabethtown.

6. An act to incorporate the Cumberland River and Big Sandy Railroad Company.

7. An act for the benefit of the Poplar Mountain Coal Company.

8. An act to incorporate the Atlantic and Ohio River Railway Company.

9. An act to incorporate the Kentucky Southern Railroad Company.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st to the Committee on Courts of Justice; the 2d to the Committee on Education, and all the rest to the Committee on Railroads.

A message was also received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of David Wortham, of Graves county.

An act to incorporate the Louisville Stock and Bond Board.

An act to create the office of county treasurer for Campbell county.

An act to repeal the second, third, and fourth sections of an act to amend an act to incorporate St. Paul's Protestant Episcopal Church, in Newport, Kentucky, approved February 6th, 1871.

An act to regulate the sale of spirituous, vinous, and malt liquors in Lewisport justices' district, in Hancock county.

An act to lay off the State into ten Congressional Districts.

An act to amend an act to incorporate the Broadway and Dunkirk Railway Company, approved March 23, 1871.

An act providing for levying a tax in aid of common schools in Greenup, Boyd, and Carter counties.

An act for the benefit of school district No. 19, of Hancock county.

An act for the better organization of the public schools in the town of Carrollton, and to establish the common school district of Carrollton, in Carroll county.

An act to amend the charter of the city of Columbus, in Hickman county.

An act to establish an institution of learning in the town of Hardinsville, in Shelby county, to be known as the Lee Academy.

An act to repeal an act passed 10th of March, 1854, granting the trustees of the Dover Seminary power to control the public school fund of school district No. 2, in Mason county.

An act to incorporate the Church House for Females and Infirmary for the Sick.

An act changing the time of holding the quarterly courts in the county of Knox.

An act to amend an act, approved December 20th, 1871, re-establishing the common pleas court in Hickman county, and to repeal an amendment thereto, approved 6th February, 1872.

An act to authorize the trustees of the Hancock Seminary to dispose of a lot of ground in Hancock county.

An act in relation to the sale of spirituous and other liquors in the county of Spencer.

An act for the benefit of the sureties of James B. McWhorter, late sheriff of Taylor county.

An act to prohibit the sale of ardent, malt, vinous, or spirituous liquors in Webster county.

An act to incorporate the Newbergh Railway and Real Estate Company.

An act to regulate the times of holding circuit courts in the 15th judicial district.

An act to incorporate the Falls City Association for the Improvement of the Breeds of Stock.

An act to incorporate the Commercial Bank of Lebanon.

An act to amend an act, entitled "An act to charter the Hustonville and McKinney's Station Turnpike Road Company."

An act for the benefit of the sureties of John W. Combs, late sheriff of Woodford county.

An act to amend the charter of the Hanging Fork and Green River Turnpike Road Company.

An act to prevent the sale of spirituous liquors in Bryantsville district, No. 4, in Garrard county.

An act to amend an act, entitled "An act to prohibit the sale of spirituous liquors in the town of South Carrollton, in Muhlenburg county," approved February 7, 1870.

An act to amend the charter of the town of Upton.

An act to incorporate the Bear Creek Navigation, Mining, and Manufacturing Company.

An act to establish the Southern Park Association.

An act to establish the Highland Park Corporation.

Resolution directing the Auditor to draw his warrant on the Treasury for sundry sums of money.

The following petitions were presented, viz:

By Mr. Dorman—

1. The petitions of sundry citizens of Owen and Boone counties, praying the repeal of the amendments to the Cincinnati Southern Railway charter.

By Mr. Haggard—

2. The petition of sundry citizens of Cumberland county, praying the passage of an act prohibiting the sale of spirituous liquors within one mile of Salem Church, in said county.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on Railroads, and the 2d to the Committee on Religion and Morals.

On motion, leave of indefinite absence was granted to Messrs. Hale, Chelf, and Boyd.

Mr. Webb moved to reconsider the vote by which the Senate had passed a bill, which originated in the House of Representatives, entitled

An act to charter the Mouth of Drennon and Turner's Station Turnpike Road Company.

Which motion was simply entered.

On motion, leave was granted to Messrs. Vories and Campbell to record their votes in the negative on the passage of a bill, which originated in the Senate, entitled

An act to amend an act to establish an Insurance Bureau, approved March 10th, 1870.

The Senate, according to order, took up for consideration a bill, entitled

A bill to assist in the completion of the Washington National Monument.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky,* That the sum of three thousand dollars be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, as the contribution of the State of Kentucky to aid in the completion of the Washington National Monument, to be paid by the Treasurer, on the warrant of the Auditor, to the Treasurer of the "Washington National Monument Society," whenever the Governor shall certify to the Auditor that he is satisfied a sufficient sum has been subscribed from other sources to enable said society to resume work and complete said monument.

§ 2. A copy of the foregoing act shall be transmitted by the Governor to the Governors of the other States of the Union, with a request that they communicate the same to the Legislatures of their respective States.

§ 3. This act to be in force from its passage.

The vote dispensing with the third reading, as also that ordering said bill to be read a third time, were reconsidered.

Mr. Chenoweth then moved to amend said bill by adding the following:

And that the sum of three thousand dollars is also hereby appropriated for the Lee Monumental Association.

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Chenoweth and Haggard, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	William P. Duval',	Edwin Hawes,
James B. Casey,	W. McKee Fox,	John W. Johnson,
J. Q. Chenoweth,	W. W. Frazer,	A. L. Martin,
F. W. Darby,	John J. Gatewood,	Alfred T. Pope,
J. H Dorman,	Jesse C. Gilbert,	E. D. Standeford—15.

Those who voted in the negative, were—

E. P. Campbell,	J. B. Haydon,	Ben. J. Webb,
G. W. Connor,	G. A. C. Holt,	Emery Whitaker,
John E. Cooper,	K. F. Prichard,	Thos. Wrightson—11.
D. R. Haggard,	A. G Talbott,	

Mr. Campbell then moved to amend said bill by adding the following:

And that the sum of three thousand dollars is also hereby appropriated for aiding in the completion of the Lincoln Monument, at Springfield, Illinois.

Pending the consideration of which amendment, Mr. Prichard moved to lay said bill and pending amendment on the table.

Which motion was adopted.

Mr. Prichard, from the Committee on Penitentiary and House of Reform, to whom had been referred a resolution, which originated in the House of Representatives, entitled

Resolution providing for the purchase of a library for the Kentucky Penitentiary,

Reported the same without amendment.

Said resolution reads as follows, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the sum of five hundred dollars be, and is hereby, appropriated, for the purpose of purchasing suitable educational, moral, historical, and religious books for the use of the convicts confined in the Kentucky Penitentiary, for which sum the Auditor of Public Accounts will issue his order on the Treasurer, payable to the chaplain of the prison (J. K. P. South), S. C. Bull, T. J. Dodd, and H. B. Lyon, who are hereby charged with the duty of selecting and purchasing such suitable books as aforesaid, a list of which, with the cost thereof, they will report to the Auditor. The books so purchased shall be used by the prisoners under the supervision and direction of the chaplain.

Mr. Haggard moved to amend said resolution by striking out "$500," and inserting in lieu thereof "$250."

Which motion was adopted.

The question was then taken on concurring in said resolution, as amended, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

R. A. Burton,	Wm. P. Duvall,	A. L. Martin,
E. P. Campbell,	W. W. Frazer,	O. D. McManama,
James B. Casey,	John J. Gatewood,	K. F. Prichard,
J. Q. Chenoweth,	Jesse C. Gilbert,	E. D. Standeford,
James F. Clay,	D. R. Haggard,	W. L. Vories,
G. W. Connor,	Edwin Hawes,	Ben. J. Webb,
John E. Cooper,	J. B. Haydon,	Emery Whitaker,
F. W. Darby,	G. A. C. Holt,	Thos. Wrightson—26.
J. H. Dorman,	John W. Johnson,	

Those who voted in the negative, were—

John S. Barlow,	W. McKee Fox,	Alfred T. Pope—3.

Resolved, That the title of said resolution be as aforesaid.

The Senate took up for consideration a bill, which originated in the House of Representatives, entitled

An act to amend an act, entitled "An act to authorize the trustees of the Cincinnati Southern Railway to acquire the right of way,

and to extend a line of railway through certain counties in this Commonwealth," approved February 13, 1872.

Mr. Wrightson then moved an amendment as a substitute for said bill.

Pending the consideration of which amendment, Mr. Prichard moved to postpone the further consideration of said bill and pending amendment until to-morrow at half-past ten o'clock, A. M.

Which motion was adopted.

The Senate took up for consideration the disagreement between the two Houses in relation to the amendment proposed by the Senate to a bill, which originated in the House of Representatives, entitled

An act to amend chapter 105, Revised Statutes (weight of coal).

The question was then taken, "Will the Senate recede from their proposed amendment?" and it was decided in the negative.

The Senate took up for consideration a bill, entitled

A bill concerning the pay of judges *pro tempore* of the several circuit, chancery, criminal, and common pleas courts of this State.

Mr. Frazer moved to lay said bill on the table.

Which motion was adopted.

Mr. Haggard, from the Committee on Propositions and Grievances, reported a bill, entitled

A bill for the benefit of Cumberland county and the good citizens thereof.

Which bill was read the first time and ordered to be read a second time.

Said bill was read a second time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the sheriff of Cumberland county be directed to pay over the revenue of said county, except that portion that is due the Sinking Fund and Common School Fund, which two last sums shall be paid to the Auditor by the sheriff as the law directs, for the years 1872 and 1873.

§ 2. That the money so collected by the sheriff for the years 1872 and 1873, which is known as the revenue proper for said county, shall be paid to the county court, and by them appropriated, one half of said revenue towards the payment of a debt contracted by the county for the erection of a jail, now in progress of construction, the other half to the building of bridges, or the improvement of the main road leading from the town of Burksville to the adjoining counties.

§ 3. This act shall take effect from its passage.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

J. Q. Chenoweth,	G. A. C. Holt,	E. D. Standeford,
John J. Gatewood,	Alfred T. Pope,	A. G. Talbott,
D. R. Haggard,	K. F. Prichard,	Emery Whitaker—10.
Edwin Hawes,		

Those who voted in the negative, were—

John S. Barlow,	John E. Cooper,	J. B. Haydon,
R. A. Burton,	J. H. Dorman,	John W. Johnson,
E. P. Campbell,	W. McKee Fox,	O. D. McManama,
James F. Clay,	W. W. Frazer,	Ben. J. Webb—13.
G. W. Connor,		

Mr. Holt, from the Committee on Courts of Justice, reported a bill,

A bill to incorporate and aid the Union Literary Society of the Agricultural and Mechanical College of Kentucky.

Which bill was read the first time and ordered to be read a second time.

Said bill was read a second time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That T. J. Oliver, president, G. A. Lord, vice president, W. E. Morrison, secretary, T. Throope, treasurer, H. S. Barker, librarian, C. A. Board, corresponding secretary, and Jno. W. Radley, editor, John S. Hockaday, John C. Dabney, J. N. Carden, M. S. Barker, C. A. Foster, and their associates and successors, be, and they are hereby, created a body-politic and corporate, under the name and style of the Union Literary Society of the Agricultural and Mechanical College of Kentucky; and as such shall have perpetual succession, sue and be sued, plead and be impleaded, contract and be contracted with, have and use a common seal, and alter the same at pleasure.

§ 2. That the object of said society shall be the promotion of morality and intellectual and social improvement; and to that end it shall have power to adopt a constitution and by-laws not inconsistent with the general law of the State; and may receive gifts and donations of books, money, and property, not exceeding $10,000 in value, to institute a library in the Agricultual and Mechanical College of Kentucky, for the use of its members, and to do such other acts, not inconsistent with the law of the State, as may be necessary to carry out its ends.

§ 3. That the constitution and by-laws of said society shall be binding and enforceable against all the members of said society who subscribe the same.

§ 4. That the number, name, and term of the officers may be regulated by the constitution and by-laws of the society, which shall regulate its government and general management; said constitution and by laws may be changed by said society in a mode to be provided in said constitution and by-laws.

§ 5. That there is hereby appropriated, out of the Treasury, the sum of $100, to be drawn and appropriated by the treasurer of said society for the purchase of such books as may be recommended by the president of said college.

§ 6. This act to take effect from its passage.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Hawes and Haggard, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	William P. Duvall,	A. L. Martin,
R. A. Burton,	John J. Gatewood,	O. D. McManama,
James B. Casey,	D. R. Haggard,	Alfred T. Pope,
J. Q. Chenoweth,	J. B. Haydon,	K. F. Prichard,
James F. Clay,	G. A. C. Holt,	A. G. Talbott,
G. W. Connor,	John W. Johnson,	Emery Whitaker—19.
John E. Cooper,		

Those who voted in the negative, were—

E. P. Campbell,	W. McKee Fox,	Edwin Hawes,
F. W. Darby,	W. W. Frazer,	E. D. Standeford,
J. H. Dorman,	Jesse C. Gilbert,	Ben. J. Webb—9.

Resolved, That the title of said bill be as aforesaid.

The Senate took up for consideration a bill, entitled

A bill to promote public service in the Auditor's Office.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That, to enable the Auditor of Public Accounts to discharge his official duties with greater facility and promptness, and to enable him to pay the clerks employed in his department a compensation more nearly the value of the services rendered by them to the State, the sum of three thousand dollars per annum is hereby appropriated, in addition to the sum now allowed by law for all clerk hire in that department.

§ 2. This act shall be in force and effect from and after its passage.

Mr. Martin offered the following amendment, viz:

Provided, That no portion of said sum shall be drawn by the Aud-

itor except so much thereof as may be necessary for the purposes herein indicated.

Which was adopted.

Ordered, That said bill, as amended, be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

R. A. Burton,	W. McKee Fox,	O. D. McManama,
James B. Casey,	W. W. Frazer,	Alfred T. Pope,
J. Q. Chenoweth,	John J. Gatewood,	K. F. Prichard,
James F. Clay,	Jesse C. Gilbert,	E. D. Standeford,
G. W. Connor,	D. R. Haggard,	A. G. Talbott,
F. W. Darby,	G. A. C. Holt,	W. L. Vories,
J. H. Dorman,	John W. Johnson,	Ben. J. Webb,
William P. Duvall,	A. L. Martin,	Emery Whitaker—24.

Those who voted in the negative, were—

John S. Barlow,	John E. Cooper,	J. B. Haydon,
E. P. Campbell,	Edwin Hawes,	Thos. Wrightson—6.

Resolved, That the title of said bill be as aforesaid.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Gatewood, from the Committee on Revised Statutes and Codes of Practice—

An act to amend an act incorporating the Goshen, Oldhamsburg, and Sligo Turnpike Company;

By Mr. Whitaker, from the Committee on Banks and Insurance—

An act to subject bank stock to taxation for county and municipal purposes;

By Mr. Burton, from the Committee on Finance—

An act for the benefit of Mason Morris, late sheriff of Edmonson county;

With the expression of opinion that said bills ought not to pass.

And the question being taken on ordering said bills to be read a third time, the opinion of the committee to the contrary notwithstanding, it was decided in the negative.

So said bills were disagreed to.

Mr. Dorman, from the Committee on Federal Relations, reported the following resolutions, viz:

1. *Resolved by the General Assembly of the Commonwealth of Kentucky*, That it shall be the duty of the Governor to appoint a citizen of this Commonwealth as a delegate to visit and represent this State in the International Congress for the prevention and repression of crime, to be held in the city of London on the third day of July, 1872.

2. That it shall be the duty of said delegate to inquire into and report such suggestions connected with the administration of criminal justice, the conduct of penal and reformatory institutions, and the treatment of our criminal population, and report such reforms in prison discipline, and such reorganization of the convict labor, as the result of the investigation and suggestions of said Congress shall show to be desirable. Said delegate shall report, by bill or otherwise, to the next session of the General Assembly of this Commonwealth; that the entire cost of such commission shall not exceed eight hundred dollars.

3. That when said services are performed, the Auditor of Public Accounts shall draw his warrant on the Treasurer in favor of said delegate for the sum of eight hundred dollars, to be paid out of any money in the Treasury not otherwise appropriated.

Which was ordered to be printed, and made the special order of the day for to-morrow.

Mr. Whitaker moved the following resolution, viz:

Resolved, That the Commissioners of the Sinking Fund be, and they are hereby, directed to report to the Senate—

1. What amount of money has been collected from the Government of the United States since the 10th day of March, 1870, of the appropriation made by the act of Congress, approved July 27th, 1861, entitled "An act to indemnify the States for expenses incurred by them in the defense of the United States."

2. By whom the same has been collected and received.

3. How much of the amount collected has been paid into the Treasury of this Commonwealth. How much carried to the credit of the Sinking Fund.

4. What amount has been paid out for services rendered, or to be rendered, in the collection of said money; to whom paid, and by what authority.

5. What is the present status or condition of the claim of this Commonwealth against the Government of the United States, commonly known as the war claim? What steps are being taken to secure the payment of the same? By whom, and by what authority?

Which was twice read and adopted.

The amendments proposed by the House of Representatives to bills, which originated in the Senate, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Pope, from the Committee on Banks and Insurance—

An act to incorporate the Exchange Bank and Tobacco Warehouse Company;

By Mr. Standeford, from the Committee on Internal Improvement—

An act to amend the charter of the Irvine and Miller's Creek Turnpike Road and Bridge Company;

With the expression of opinion that said amendments should be concurred in.

And the question being taken thereon, it was decided in the affirmative.

The following bills were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Chenoweth, from the Committee on Railroads—

A bill to authorize the counties of Trigg and Calloway to subscribe stock to railroads.

By Mr. Whitaker, from the Committee on Banks and Insurance—

A bill to amend an act, entitled "An act to incorporate the Kentucky Life Insurance Company."

By Mr. Burton, from the Committee on Finance—

A bill for the benefit of Joseph F. Perrie, of Mason county.

By Mr. Whitaker, from the Committee on Courts of Justice—

A bill to require county clerks to report to the Auditor the indebtedness of their respective counties.

By Mr. Gatewood, from the Committee on Revised Statutes and Codes of Practice—

A bill to provide for paying for indexing record books in the Warren circuit and county courts.

By Mr. Holt, from the Committee on Military Affairs—

A bill to amend an act, entitled "An act for the benefit of the officers and soldiers of the thirty-first regiment of enrolled militia," approved February 7th, 1866.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Chenoweth, from the Committee on Railroads—

An act to amend the charter of the Paducah and Gulf Railroad Company, approved February 26, 1869.

By same—

An act to extend the time for the payment of railroad taxes in Bourbon county.

By same—

An act to amend the charter of the Elizabethtown, Lexington, and Big Sandy Railroad Company.

By same—

An act to amend the charter of the Madisonville and Shawneetown Straight-line Railroad Company.

By same—

An act providing for the collection of railroad tax in Elliott county.

By Mr. Gatewood, from the Committee on Revised Statutes and Codes of Practice—

An act to amend the charter of the town of Eddyville, in Lyon county.

By Mr. John W. Johnson, from the Committee on Religion and Morals—

An act to prohibit the sale of spirituous, vinous, or malt liquors in the town of Poplar Plains, in Fleming county.

By Mr. Chenoweth, from the Committee on Finance—

An act for the benefit of Samuel Sublett, of Woodford county.

By Mr. Whitaker, from the Committee on Banks and Insurance—

An act to incorporate the Bourbon Building and Savings Association, of Paris.

By same—

An act for the benefit of the Commercial Bank of Kentucky.

By Mr. Pope, from the Committee on Banks and Insurance—

An act to amend the charter of the Commonwealth Insurance Company, of Kentucky.

By same—

An act to incorporate the First German Savings Bank of Louisville.

By Mr. Gilbert, from the Committee on Courts of Justice—

An act for the benefit of the county and circuit court clerks of Boyd county.

By Mr. Darby, from the Committee on Courts of Justice—

An act to authorize the county court of Hickman county to raise money to build a new court-house in said county, in the town of Clinton.

By same—

An act to locate the county seat for Hickman county.

By Mr. Pope, from the Committee on the Judiciary—

An act to authorize the county court of Madison county to sell the stock owned by said county in the Louisville and Nashville Railroad Company, and reinvest the proceeds of the sale.

By Mr. Burton, from the Committee on Finance—

An act for the benefit of A. McCampbell, late sheriff of Jessamine county.

By Mr. Standeford, from the Committee on Internal Improvement—

An act to empower the overseer of the State road in Trigg county to make a change in said road.

By same—

An act to amend an act establishing a graded road leading from London, in Laurel county, to Booneville, in Owsley county.

By Mr. Talbott, from a select committee—

An act to regulate the running of ferries and ferry rates in the city of Covington.

By Mr. Hawes, from the Committee on Religion and Morals—

An act to amend an act, entitled "An act to incorporate the Hawesville Cemetery Company," approved December 7th, 1850.

By Mr. Whitaker, from the Committee on Banks and Insurance—

An act to charter the Deposit Bank of Mt. Sterling.

By same—

An act to amend an act to incorporate the Farmers' and Traders' Bank of Shelbyville.

With amendments to the last three named bills.

Which were adopted.

Ordered, That said bills, the last three named as amended, be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Casey, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act to amend an act to incorporate the Louisville Insurance and Banking Company, approved January 24, 1867;

An act for the benefit of Wolfe county;

An act to amend the criminal laws of this Commonwealth;

An act for the benefit of Lee county;

An act to prohibit the sale of spirituous, vinous, or malt liquors within a half mile of Mount Gilead and Macedonia Churches, near Allensville, in Todd county;

And enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to create an additional justices' and constable's district in Johnson county;

An act to amend the charter of the Winchester and Red River Turnpike Road Company;

An act to amend an act, entitled "An act to incorporate the German Insurance Company;"

An act to amend the New Castle and Bethlehem Turnpike Road Company;

An act to amend an act, entitled "An act to incorporate the Traders' Bank," approved February 15th, 1867;

An act for the benefit of A. P. Childress;

An act for the benefit of school district No. 3, in Hancock county;

An act to amend the charter of Glasgow Junction;

An act to repeal an act, entitled "An act to amend the charter of Cave City, in Barren county," approved March 8, 1871;

An act to amend the charter of the Clark and Montgomery Turnpike Road Company;

An act for the benefit of the Mt. Sterling and Levee Turnpike Road Company;

An act to amend the act incorporating the Grassy Lick Turnpike Road Company;

An act to provide for the collection of the railroad tax in Montgomery county;

An act to require the clerk of the Lincoln circuit court to make cross-index, and pay him for the same;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee, to be presented to the Governor for his approval and signature.

After a short time, Mr. Casey reported that the committee had performed that duty.

And then the Senate adjourned.

THURSDAY, MARCH 21, 1872.

A message was received from the House of Representatives, announcing that they had passed bills, which originated in the Senate, of the following titles, viz:

An act for the benefit of A. E. Camp, jailer of Jefferson county.

An act for the benefit of John Moore, jailer of Green county.

An act to authorize the reduction of Lock street from High street to the line of the Louisville and Portland Canal.

An act to authorize the Ohio and Mississippi Railway Company to take, hold, and convey real estate in the State of Kentucky.

That they had passed bills of the following titles, viz:

1. An act for the benefit of Wm. Risner and Charles Menix, sureties of Stephen Howard, sheriff of Magoffin county.

2. An act to provide for the payment of the expenses incurred in keeping pauper lunatics.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st to the Committee on Finance, and the 2d to the Committee on Claims.

A message was also received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to protect the owners of land, and to prevent certain trespasses, in Logan and Todd counties.

An act to amend the charter of the Glasgow Railroad Company.

An act to amend the charter of the Bank Lick and Lexington Road Junction Turnpike Company.

An act to incorporate the Boone Bridge Company.

An act to amend an act, entitled "An act to charter the Crab Orchard and Crew's Knob Turnpike Company," approved March 6th, 1850.

An act to repeal an act, entitled "An act to amend an act, entitled 'An act incorporating Sherburn Bridge Company,'" approved March 14th, 1871.

An act for the benefit of the Chilesburg and Clintonville Turnpike Road Company.

An act for the benefit of the Georgetown, Oxford, and Leesburg Turnpike Road Company.

An act for the benefit of Joseph Gardner, of Magoffin county.

An act for the benefit of the New Liberty Branch Turnpike Road Company, in Owen county.

An act for the benefit of the Farmers' Bank of Kentucky.

An act to amend an act, entitled "An act to charter the Owensboro and Russellville Railroad Company."

An act to amend an act, entitled "An act to incorporate the Mississippi River Levee Company," approved January 30, 1872.

An act to amend an act, entitled "An act to incorporate the Covington Street Railway Company."

An act to amend the charter of the Stanford and Milledgeville Turnpike Road Company.

A message was received from the Governor by Mr. Botts, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to incorporate the Bank of Owen.

An act to incorporate the Bank of Uniontown.

An act to incorporate the Deposit Bank of Carrollton.

An act to incorporate the Uniontown Deposit Bank.

An act to amend the charter of the Louisville City Railway Company.

An act providing for a settlement with H. I. Todd, late Lessee and Keeper of the Kentucky Penitentiary.

An act to amend an act, entitled "An act to incorporate the Contracting and Building Company, for the purpose of building, and aiding in building, railroads, bridges, and telegraph lines," approved March 4th, 1872.

An act to prohibit the sale of spirituous, vinous, or malt liquors within a half mile of Mount Gilead and Macedonia Churches, near Allensville, in Todd county.

An act for the benefit of Lee county.

An act to amend an act to incorporate the Louisville Insurance and Banking Company," approved January 24th, 1867.

An act for the benefit of Wolfe county.

An act to amend the criminal laws of this Commonwealth.

The following bills were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Clay, from the Committee on the Judiciary—

A bill to continue the office of Auditor's Agent.

By Mr. Gilbert, from the Committee on Courts of Justice—

A bill to amend an act, entitled "An act to reduce into one the several acts in regard to the town of Lancaster, and for other purposes," approved March 9th, 1867.

By Mr. McManama, from a select committee—

A bill for the benefit of J. M. Curry, late sheriff of Pendleton county, and his sureties.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Pope, from the Committee on the Judiciary—

An act to create an additional justices' district in Washington county;

By same—

An act to authorize the county court of Green county to create and establish an additional voting place in district No. 3, in Green county;

By same—

An act to establish an additional voting place in election district No. 3, in Lyon county;

By same—

An act to incorporate the Transylvania Printing and Publishing Company, of Lexington, Kentucky;

By Mr. Clay, from the Committee on the Judiciary—

An act to incorporate the Lancaster Benevolent Society;

By same—

An act in relation to the streets and alleys of Jamestown, Russell county;

By same—

An act to amend an act, entitled "An act concerning public books, and providing for the supply of destitute counties;"

By Mr. Gilbert, from the Committee on Courts of Justice—

An act for the benefit of H. S. Powell, of Jackson county;

By same—

An act for the benefit of county court clerks;

By same—

An act for the benefit of justices of the peace in Webster county;

By same—

An act to incorporate the Campbell Gas-light Company;

With the expression of opinion that said bills ought not to pass.

And the question being taken on ordering said bills to be read a third time, the opinion of the committee to the contrary notwithstanding, it was decided in the negative.

So said bills were disagreed to.

Mr. Standeford, from the Committee on Railroads, to whom was referred the amendment proposed by the House of Representatives to a bill, which originated in the Senate, entitled

An act to amend the charter of the Louisville, Cincinnati, and Lexington Railroad Company,

Reported the same, with the expression of opinion that said amendment should be concurred in.

And the question being taken thereon, it was decided in the affirmative.

Mr. Chenoweth, from the Committee on Railroads, to whom had been referred a bill, which originated in the House of Representatives, entitled

An act to incorporate the Evansville and Jackson Railroad Company,

Reported the same, and moved that it be made the special order of the day for to-morrow at twelve o'clock, M.

Which motion was adopted.

Mr. Webb withdrew the motion heretofore made by him to reconsider the vote by which the Senate had passed a bill, which originated in the House of Representatives, entitled

An act to charter the Mouth of Drennon and Turner's Station Turnpike Road Company.

Mr. Martin moved to reconsider the vote by which the Senate had disagreed to the passage of a bill, which originated in the House of Representatives, entitled

An act for the benefit of H. S. Powell, of Jackson county.

Which motion was simply entered.

The Senate, according to order, took up for consideration a bill, which originated in the House of Representatives, entitled

An act to amend an act, entitled "An act to authorize the trustees of the Cincinnati Southern Railway to acquire the right of way, and to extend a line of railway through certain counties in this Commonwealth," approved February 13, 1872.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the proviso to section fourteen of an act approved February the 13th, 1872, entitled "An act to authorize the trustees of the Cincinnati Southern Railway to acquire the right of way and to extend a line of railway through certain counties in this Commonwealth," and so much of the proviso to the preamble to said act as requires the said trustees to make special surveys therein named, and to report the lines surveyed to the citizens of Cincinnati, and to locate the road-bed as indicated by the votes of the citizens and taxpayers of said city, be, and the same are hereby, repealed.

§ 2. This act shall take effect and be in force from and after its passage.

Mr. Chenoweth moved to amend said bill as follows, viz:

Add after the word "that," in the first line of section one, the words "so much of;" and after the word "Commonwealth," in the seventh line, the words, "as requires the trustees of the Cincinnati Southern Railway to pay an amount equal to fifty cents per capita for each through passenger, and twenty-five cents for each passenger for one hundred miles."

And the question being taken on the adoption of said amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. McManama and Haggard, were as follows, viz:

Those who voted in the affirmative, were—

James B. Casey,	William P. Duvall,	A. G. Talbott,
G. W. Connor,	W. McKee Fox,	W. L. Vories,
John E. Cooper,	A. L. Martin,	Thos. Wrightson—11.
J. H. Dorman,	O. D. McManama,	

Those who voted in the negative, were—

John S. Barlow,	H. S. Hale,	Alfred T. Pope,
R. A. Burton,	Edwin Hawes,	K. F. Prichard,
J. Q. Chenoweth,	J. B. Haydon,	E. D. Standeford,
W. W. Frazer,	G. A. C. Holt,	Ben. J. Webb,
John J. Gatewood,	John W. Johnson,	Emery Whitaker—16.
D. R. Haggard,		

Messrs. Clay, Darby, and Gilbert asked to be excused from voting on said bill, and all amendments thereto, stating that they had paired off with Messrs. Boyd, Campbell, and William Johnson.

Which requests were granted.

Mr. Chenoweth moved further to amend said bill as follows viz:

Strike out after the word "trustees," in the ninth line of section one, the words, "to make special surveys therein named."

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Hawes and Gatewood, were as follows, viz:

Those who voted in the affirmative, were—

James B. Casey,	William P. Duvall,	O. D. McManama,
J. Q. Chenoweth,	W. McKee Fox,	K. F. Prichard,
G. W. Connor,	D. R. Haggard,	A. G Talbott,
John E. Cooper,	G. A. C. Holt,	W. L. Vories,
J. H. Dorman,	A. L. Martin,	Thos. Wrightson—15.

Those who voted in the negative, were—

John S. Barlow,	H. S. Hale,	Alfred T. Pope,
R. A. Burton,	Edwin Hawes,	E. D. Standeford,
W. W. Frazer,	J. B. Haydon,	Ben. J. Webb,
John J. Gatewood,	John W. Johnson,	Emery Whitaker—12.

Mr. Chenoweth then moved to reconsider the vote by which the Senate had rejected the first amendment proposed by himself.

Mr. Gatewood moved to lay that motion on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Standeford and Webb, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	H. S. Hale,	Alfred T. Pope,
R. A. Burton,	Edwin Hawes,	K. F. Prichard,
W. W. Frazer,	J. B. Haydon,	E. D. Standeford,
John J. Gatewood,	G. A. C. Holt,	Ben. J. Webb,
D. R. Haggard,	John W. Johnson,	Emery Whitaker—15.

Those who voted in the negative, were—

James B. Casey,	J. H. Dorman,	O. D. McManama,
J. Q. Chenoweth,	William P. Duvall,	A. G. Talbott,
G. W. Connor,	W. McKee Fox,	W. L. Vories,
John E. Cooper,	A. L. Martin,	Thos. Wrightson—12.

Mr. Wrightson then moved to postpone the further consideration of said bill, and make it the special order of the day for to-morrow at a quarter past nine o'clock, A. M.

Which motion was adopted.

The Senate, according to order, took up for consideration a bill, which originated in the House of Representatives, entitled

An act to prohibit the floating or running logs, wood, or other lumber, down Licking river without rafting the same.

Mr. Whitaker then moved that the further consideration of said bill be postponed to, and made the special order of the day for, to-morrow, at eleven o'clock.

Which motion was adopted.

Mr. Standeford offered the following resolution, viz:

WHEREAS, The joint rule known as rule 81 was adopted as a matter of economy, and upon the supposition that much time and money would be saved under the practical workings of said rule; and whereas, the Legislature has been in session nearly four months, thus showing that nothing has been saved, either in time or money; and whereas, the House of Representatives has disregarded said rule by passing many bills which come under the provisions of said rule; and whereas, the rule has been, in many instances, suspended by the Senate during the present session, and in some instances bills have been passed without the suspension of the rule; and whereas, many charters of great importance to the mineral, manufacturing, and agricultural interest of the State are in the hands of the committees; therefore, be it

Resolved by the General Assembly of the Commonwealth of Kentucky, That rule 81 be, and the same is hereby, repealed.

Which lies over one day.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Pope, from the Committee on the Judiciary—

An act to amend the charter of the town of Mt. Sterling.

By same—

An act to empower the trustees of the town of Cadiz to sell the old cemetery property not inclosed.

By same—

An act to incorporate the town of Linton, in Trigg county.

By same—

An act to prevent and punish certain trespasses in Scott and Woodford counties.

By Mr. Chenoweth, from the Committee on Railroads—

An act to amend an act, entitled "An act to incorporate the Elizabethtown and Paducah Railroad Company, and the acts amendatory thereto."

By Mr. Clay, from the Committee on the Judiciary—

An act to repeal an act, entitled "An act to prevent the destruction of fish in Green river and its tributaries, so far as it applies to Martin's creek and Hurricane pond or slough, in Daviess county."

By same—

An act to provide for the appointment of deputy constables in the city of Covington.

By same—

An act to amend an act, entitled "An act to incorporate the Henderson Running Park Association," approved March 9th, 1868.

By same—

An act authorizing the Buffalo Springs Cemetery Company to have lands condemned for their use.

By same—

An act to amend the charter, and the amendments thereto, of the town of Stanford.

By same—

An act regulating the time of listing property for local purposes in Washington county.

By Mr. Gilbert, from the Committee on Courts of Justice—

An act to change the time of holding the court of claims of Carter county.

By same—

An act to change the time of holding the court of claims in the county of Robertson.

By same—

An act to authorize the county court of Trigg county to sell the poor-house therein.

By same—

An act legalizing orders and proceedings of the Pulaski county court.

By same—

An act to require the clerk of the Johnson county court to index certain order-books and other records in his office.

By same—

An act for the benefit of Washington county.

By Mr. Holt, from the Committee on Courts of Justice—

An act for the benefit of J. B. Ross, former sheriff of Ballard county.

By same—

An act to authorize the Boone county court to appoint trustees for the Burlington burying-ground, and prescribing their duties.

By same—

An act to amend an act, entitled "An act for the benefit of Boone county," approved January 30th, 1871.

By same—

An act to declare the South Fork of Quicksand creek, and other creeks in Breathitt county, navigable streams.

By same—

An act authorizing the presiding judge of the Breathitt county court to submit to the qualified voters of said county the propriety of imposing an ad valorm and capitation tax for the construction of a bridge across the North Fork of the Kentucky river, near the town of Jackson.

By Mr. Gatewood, from the Committee on Education—

An act to amend an act, entitled "An act amending the public school laws in the city of Owensboro," passed and approved the present session of the Legislature.

By Mr. Cooper, from the Committee on Revised Statutes and Codes of Practice—

An act to amend an act, entitled "An act to reduce into one the several acts in regard to the town of Lancaster, and for other purposes," approved March 9, 1867.

By Mr. Gilbert, from the Committee on Courts of Justice—

An act for the benefit of A. S. Arnold, late sheriff of Hickman county.

By Mr. John W. Johnson, from the Committee on Religion and Morals—

An act to incorporate the trustees of the Orphanage of the Good Shepherd, in the city of Louisville.

With amendments to the last three named bills.

Which were adopted.

Ordered, That said bills, the last three named as amended, be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Casey, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act to change the time of holding the Estill quarterly court;

An act to authorize the Casey county court to increase the county levy in said county;

An act to legalize certain proceedings of the Boone county court;

An act to extend the time of collecting the fee bills of E. H. Logan, late clerk of the Rowan county and circuit courts;

An act to prevent the destruction of fish in Mercer county;

An act to authorize the Lawrence county court to levy an ad valorem and per capita tax for county purposes;

An act to amend an act, entitled "An act to empower county courts to take stock in turnpike roads in this Commonwealth;"

An act to legalize certain proceedings of the Owen county court;

An act to repeal an act, entitled "An act to authorize the marking and defining and establishing the line between the counties of Pendleton and Grant;"

An act to authorize the Warren county court to submit the question of the adoption of an act amending the law in relation to roads, passed 17th day of February, 1866, to the voters of said county;

An act to incorporate the Bank of Commerce;

An act for the benefit of Dillion Asher, jailer of Josh Bell county;

An act for the benefit of W. S. Hicks, sheriff of Henderson county, and his sureties;

An act to amend and explain an act, entitled "An act to amend an act, entitled 'An act to incorporate the Frankfort, Paris, and Big Sandy Railroad Company;'"

An act for the benefit of James Rhea Boyd;

An act for the benefit of Boone county;

An act to provide for indexing deed-books in Caldwell county;

An act for the benefit of the county court of Meade county;

An act to amend an act, entitled "An act to transcribe the surveyor's book and records of Cumberland county;"

An act to amend the charter of the Frankfort, Paris, and Big Sandy Railroad Company;

An act requiring the Jefferson county court to appoint a measurer of tan-bark for said county;

An act to define and locate the county line between the counties of Elliott and Rowan;

And enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Scuffletown Fence Company;

An act submitting to the qualified voters of Josh Bell county the question of prohibiting the sale of spirituous liquors in said county;

An act to prohibit the sale of intoxicating liquors in Pulaski county;

An act to amend an act, entitled "An act to incorporate the town of Corydon, in the county of Henderson," approved February 15th, 1868;

An act to amend an act, entitled "An act to reduce into one the several acts in relation to the town of Richmond;"

An act for the benefit of Henry C. Lucas, of Russell county;

An act to change the time of electing the officers of the Madison County Stock, Agricultural, and Mechanical Association;

An act to amend an act to incorporate the Eminence and Smithfield Turnpike Road Company;

An act for the benefit of citizens of Garrard county;

An act to amend the charter of the Ghent and Eagle Creek Turnpike Road Company;

An act to amend the charter of the Smithfield and Shelbyville Turnpike Road Company;

An act for the benefit of John D. Boyes, of Magoffin county;

An act to amend an act, entitled "An act to amend an act, entitled 'An act for the benefit of Lincoln county;'"

An act changing the time of holding the February term of the Franklin circuit court;

An act to amend the charter of the Lowell and Spoonsville Turnpike Road Company," approved February 1, 1868;

An act for the benefit of turnpike roads in Scott county;

An act to regulate the terms of the Boyle county quarterly court;

Resolution for the benefit of B. E. Woodworth;

And had found the same truly enrolled.

Said bills and resolution having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Casey reported that the committee had performed that duty.

Leave was given to bring in the following bills, viz:

On motion of Mr. Dorman—

1. A bill for the benefit of A. Q. Baker, late sheriff of Boone county.

On motion of Mr. Cooper—

2. A bill for the benefit of William Adams and son, of Magoffin county.

On motion of same—

3. A bill to tax all the railroads in this Commonwealth now in operation, and which may hereafter be operated by any person, corporation, or company.

Ordered, That the Committee on Propositions and Grievances prepare and bring in the 1st and 2d, and the Committee on Railroads the 3d.

And then the Senate adjourned.

FRIDAY, MARCH 22, 1872.

A message was received from the House of Representatives, announcing that they had passed a bill, which originated in the Senate, of the following title, viz:

An act to amend the charter of the city of Lexington.

That they had passed bills of the following titles, viz:

1. An act to amend an act approved March 2d, 1872, entitled "An act to amend chapter 50, Revised Statutes, entitled 'Inclosures and Certain Trespasses.'"

2. An act for the benefit of Lewis Plummer, jailer of Lewis county.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, the 1st was referred to the Committee on Revised Statutes and Codes of Practice, and the 2d was ordered to be read a third time.

Said bill was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts is hereby directed to draw his warrant upon the Treasurer of the State in favor of Lewis Plummer, jailer of Lewis county, for one hundred and forty dollars and twenty-five cents ($140 25), to be paid out of any money not otherwise appropriated, it being in full of the amonnt due said Plummer for keeping Mariah McLane, a lunatic, in the jail of Lewis county, from June 19th, 1871, to the 3d day of September, 1871; and in full for keeping Lewis Kirk, a lunatic, in the jail of Lewis county, from the 28th day of November, 1871, to March 20th, 1872.

§ 2. That said Lewis Plummer shall be allowed the sum of seventy-five cents per day for keeping said Lewis Kirk from the 20th day of March, 1872, until he is discharged, to be paid out of the State Treasury; the claim to be allowed by the Lewis circuit court, and certified as other claims against the State are allowed and certified.

§ 3. This act to take effect from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	John J. Gatewood,	A. L. McAfee,
James B. Casey,	Jesse C. Gilbert,	O. D. McManama,
G. W. Connor,	D. R. Haggard,	Alfred T. Pope,
John E Cooper,	H. S. Hale,	E. D. Standeford,
F. W. Darby,	Edwin Hawes,	A. G. Talbott,
J. H. Dorman,	J. B. Haydon,	W. L. Vories,
Wm. P. Duvall,	G. A. C. Holt,	Ben. J. Webb,
W. McKee Fox,	John W. Johnson,	Emery Whitaker,
W. W. Frazer,	A. L. Martin,	Thos. Wrightson—27.

In the negative—none.

Resolved, That the title of said bill be as aforesaid.

A message was also received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to provide for the collection of the railroad tax in Montgomery county.

An act to amend the charter of the Winchester and Red River Turnpike Road Company.

An act to create an additional justices' and constable's district in Johnson county.

An act to amend the act incorporating the Grassy Lick Turnpike Road Company.

An act for the benefit of the Mt. Sterling and Levee Turnpike Road Company.

An act to amend the charter of the Clark and Montgomery Turnpike Road Company.

An act to repeal an act, entitled "An act to amend the charter of Cave City, in Barren county," approved March 8, 1871.

An act to amend an act, entitled "An act to incorporate the Traders' Bank," approved February 15th, 1867.

An act for the benefit of school district No. 3, in Hancock county.

An act to amend the charter of Glasgow Junction.

An act to amend the charter of the New Castle and Bethlehem Turnpike Road Company.

An act to require the clerk of the Lincoln circuit court to make cross index, and pay him for the same.

An act for the benefit of A. P. Childress.

A message was received from the Governor by Mr. Botts, Assistant Secretary of State, announcing that the Governor had approved

and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to authorize the Lawrence county court to levy an ad valorem and per capita tax for county purposes.

An act to amend an act, entitled "An act to transcribe the surveyor's books and records of Cumberland county."

An act for the benefit of the county court of Meade county.

An act to amend an act, entitled "An act to empower county courts to take stock in turnpike roads in this Commonwealth."

An act to provide for indexing deed-books in Caldwell county.

An act for the benefit of James Rhea Boyd.

An act to extend the time of collecting the fee bills of E. H. Logan, late clerk of the Rowan county and circuit courts.

An act to repeal an act, entitled "An act to authorize the marking and defining and establishing the line between the counties of Pendleton and Grant."

An act legalizing certain proceedings of the Owen county court.

An act for the benefit of Dillion Asher, jailer of Josh Bell county.

An act to define and locate the county line beween the counties of Elliott and Rowan.

An act to change the time of holding the Estill quarterly court.

An act to authorize the Casey county court to increase the county levy in said county.

An act requiring the Jefferson county court to appoint a measurer of tan-bark for said county.

An act for the benefit of Boone county.

An act legalizing certain proceedings of the Boone county court.

An act to authorize the Warren and Hickman county courts to submit the question of the adoption of an act amending the law in relation to roads, passed 17th day of February, 1866, to the voters of said counties.

An act to amend the charter of the Frankfort, Paris, and Big Sandy Railroad Company.

An act to amend and explain an act, entitled "An act to amend an act, entitled 'An act to incorporate the Frankfort, Paris, and Big Sandy Railroad Company.'"

An act for the benefit of W. S. Hicks, sheriff of Henderson county, and his sureties.

An act to prevent the destruction of fish in Mercer county.

The Senate, according to order, took up for consideration a resolution, entitled

Resolution to appoint a delegate to the International Congress for the prevention and repression of crime.

The question was then taken on the adoption of said resolution, and it was decided in the negative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	William P. Duvall,	Alfred T. Pope,
James B. Casey,	D. R. Haggard,	E. D. Standeford,
J. Q. Chenoweth,	John W. Johnson,	A. G. Talbott,
James F. Clay,	A. L. Martin,	Ben. J. Webb—14.
J. H. Dorman,	O. D. McManama,	

Those who voted in the negative, were—

G. W. Connor,	Jesse C. Gilbert,	A. L. McAfee,
John E. Cooper,	H. S. Hale,	K. F. Prichard,
F. W. Darby,	Edwin Hawes,	Emery Whitaker,
W. McKee Fox,	J. B. Haydon,	Thos. Wrightson—14.
W. W. Frazer,	G. A. C. Holt,	

The Senate resumed the consideration of a bill, which originated in the House of Representatives, entitled

An act to amend an act, entitled "An act to authorize the trustees of the Cincinnati Southern Railway to acquire the right of way, and to extend a line of railway through certain counties in this Commonwealth," approved February 13, 1872.

Mr. Chenoweth then offered the following amendment as a substitue for said bill, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That so much of the proviso to section fourteen of an act approved February 13th, 1872, entitled "An act to authorize the trustees of the Cincinnati Southern Railway to acquire the right of way and to extend a line of railway through certain counties in this Commonwealth," as requires the trustees of the Cincinnati Southern Railway to pay an amount equal to fifty cents *per capita* for each through passenger and twenty-five cents for each passenger for one hundred miles, and so much of the proviso to the preamble to said act as requires the said trustees to report the lines surveyed to the citizens of Cincinnati, and to locate the road-bed as indicated by the votes of the citizens and tax-payers of said city, be, and the same are hereby, repealed.

§ 2. This act shall take effect and be in force from and after its passage.

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Standeford and Barlow, were as follows, viz:

Those who voted in the affirmative, were—

James B. Casey,	W. McKee Fox,	O. D. McManama,
J. Q. Chenoweth,	W. W. Frazer,	K. F. Prichard,
G. W. Connor,	D. R. Haggard,	A. G. Talbott,
John E. Cooper,	A. L. Martin,	W. L. Vories,
J. H. Dorman,	A. L. McAfee,	Thos. Wrightson—16.
William P. Duvall,		

Those who voted in the negative, were—

John S. Barlow,	Edwin Hawes,	Alfred T. Pope,
R. A. Burton,	J. B. Haydon,	E. D. Standeford,
John J. Gatewood,	G. A. C. Holt,	Ben. J. Webb,
H. S. Hale,	John W. Johnson,	Emery Whitaker—12.

Mr. Standeford then moved to postpone the further consideration of said bill and amendment indefinitely.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. McManama and Cooper, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	Edwin Hawes,	Alfred T. Pope,
R. A. Burton,	J. B. Haydon,	E D. Standeford,
W. W. Frazer,	G. A. C. Holt,	Ben. J. Webb,
John J. Gatewood,	John W. Johnson,	Emery Whitaker—13.
H. S. Hale,		

Those who voted in the negative, were—

James B. Casey,	Wm. P. Duvall,	O. D. McManama,
J. Q. Chenoweth,	W. McKee Fox,	K. F. Prichard,
G. W. Connor,	D. R. Haggard,	A. G. Talbott,
John E. Cooper,	A. L. Martin,	W. L. Vories,
J. H Dorman,	A. L. McAfee,	Thos. Wrightson—15.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. McManama and Cooper, were as follows, viz:

Those who voted in the affirmative were—

James B. Casey,	Wm. P. Duvall,	O. D. McManama,
J. Q. Chenoweth,	W. McKee Fox,	K. F. Prichard,
G. W. Connor,	D. R. Haggard,	A. G. Talbott,
John E. Cooper,	A. L. Martin,	W. L. Vories,
J. H. Dorman,	A. L. McAfee,	Thos. Wrightson—15.

Those who voted in the negative, were—

John S. Barlow,	Edwin Hawes,	Alfred T. Pope,
R. A. Burton,	J. B. Haydon,	E. D. Standeford,
W. W. Frazer,	G. A. C. Holt,	Ben. J. Webb,
John J. Gatewood,	John W. Johnson,	Emery Whitaker—13.
H. S. Hale,		

Resolved, That the title of said bill be as aforesaid.

Mr. Fox then moved to reconsider the vote by which the Senate had passed said bill.

Mr. Chenoweth moved to lay that motion on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Standeford and Martin, were as follows, viz:

Those who voted in the affirmative, were—

James B. Casey,	William P. Duvall,	K. F. Prichard,
J. Q. Chenoweth,	W. McKee Fox,	A. G. Talbott,
G. W. Connor,	A. L. Martin,	W. L. Vories,
John E. Cooper,	A. L. McAfee,	Thos. Wrightson,
J. H. Dorman,	O. D. McManama,	John G. Carlisle—15.

Those who voted in the negative, were—

John S. Barlow,	H. S. Hale,	Alfred T. Pope,
R. A. Burton,	Edwin Hawes,	E. D. Standeford,
W. W. Frazer,	J. B. Haydon,	Ben. J. Webb,
John J. Gatewood,	G. A. C. Holt,	Emery Whitaker—14.
D. R. Haggard,	John W. Johnson,	

Mr. Prichard moved to reconsider the vote by which the Senate had, on yesterday, disagreed to the passage of a bill, which originated in the House of Representatives, entitled

An act to authorize the county court of Green county to create and establish an additional voting place in district No. 3, in Green county.

Which motion was adopted.

Ordered, That said bill be recommitted to the Committee on the Judiciary.

The Senate, according to order, took up for consideration a bill, which originated in the House of Representatives, entitled

An act to prohibit the floating or running logs, wood, or other lumber, down Licking river without rafting the same.

Said bill reads as follows, viz:

WHEREAS, It satisfactorily appears to this General Assembly, that the free and safe navigation of Licking river is being at times greatly obstructed by the floating of logs, wood, and other lumber, loose, in

said river; therefore, for the better securing the free, safe, and uninterrupted navigation of said river,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That hereafter it shall be unlawful for any person or persons, company or corporation, to float or drive down Licking river logs, wood, or other lumber, without first having the same rafted or confined together; and no person or persons shall run the same down said river without having some person or persons on the same: *Provided, however*, This act shall not apply to rafts, logs, or other lumber, that may get loose in said river by accident or high water; and, in all such cases, the owner or owners shall have the right to pursue and reclaim such rafts, logs, or other lumber.

§ 2. That any person or persons violating any of the provisions of this act, shall forfeit and pay to the Commonwealth of Kentucky a sum equal to one half of the value of the said logs, wood, rafts, or other lumber found floating in said river, in violation of the provisions of the first section of this act, which sum may be recovered in the name of the Commonwealth in any court having jurisdiction, or by indictment by a grand jury in any county in which the offense may be committed. This act shall not apply to any part of Licking river above the mouth of the Rock House Fork of Licking river, in Morgan county. And all acts and parts of acts in conflict with this act, are hereby repealed.

§ 3. This act shall not take effect, nor be in force, until the first day of December, 1872, after which time it shall be in full force and effect.

Mr. Cooper then moved to amend said bill by adding the following additional sections thereto, viz:

§ 3. That on the first Monday in August next there shall be an election held at the various precincts in the counties of Magoffin, Morgan, Menifee, and Rowan, for the purpose of ascertaining whether the qualified voters of said counties are in favor of or opposed to all persons rafting logs, lumber, &c., as required in section first of this act; and the election shall be held and conducted in the same manner and by the same officers as now provided for by law for the holding and conducting of general elections.

§ 4. The sheriffs conducting said election shall distinctly ask each voter the following question: Are you for or against compelling all persons to raft saw-logs and lumber when running the same down Licking river? The clerk shall write the name of each voter on said poll-book, and place his vote in the column indicated by him.

§ 5. It shall be the duty of the examiners authorized by law to compare the polls, count the votes for and against the proposition, and give a certificate of the result of said election, and immediately deliver the same to the clerk of their respective county courts; and if there shall be a majority of the legal votes cast at said election in favor of compelling all persons to raft logs, lumber, &c., as required by the first section of this act, then, and in that event, this act shall be in full force and effect.

§ 6. That in addition to the duties of the county court clerks in making out the poll-books for holding the regular elections, he shall, at least ten days before said election, make out and deliver to the sheriff of said counties two columns attached to the regular poll-books. The first shall be headed "For rafting," the second "Against rafting;" and the sheriff shall deliver one copy of said poll-book to the judges of the election at each voting place in said counties before the opening of the polls.

§ 7. The polls shall be compared by the same persons and in the same manner as other elections are now authorized by law to be compared; and the persons comparing the same shall give a certificate of the results of the election in each county in which the same is authorized to be held under this act, and which certificate shall be deposited with the county court clerk, who shall file the same in his office, and remain in his custody as a part of the records of his office.

§ 8. This act shall not take effect until the same is ratified by a majority of all the legal voters voting on said proposition who are authorized to vote by the provisions of this act.

Mr. Wrightson then moved to amend the amendment proposed by Mr. Cooper by adding to the list of counties named therein the counties of Kenton, Campbell, Pendleton, Harrison, Nicholas, Bath, and Fleming.

Mr. McManama then moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The question was then taken on the amendment proposed by Mr. Wrightson to the amendment proposed by Mr. Cooper, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Cooper and Martin, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	William P. Duvall,	Alfred T. Pope,
James B. Casey,	W. McKee Fox,	E. D. Standeford,
J. Q. Chenoweth,	Jesse C. Gilbert,	A. G. Talbott,
James F. Clay,	Edwin Hawes,	Ben. J. Webb,
G. W. Connor,	O. D. McManama,	Thos. Wrightson—16.
F. W. Darby,		

Those who voted in the negative, were—

R. A. Burton,	H. S. Hale,	A. L. Martin,
John E. Cooper,	J. B. Haydon,	A. L. McAfee,
J. H. Dorman,	G. A. C. Holt,	K. F. Prichard,
W. W. Frazer,	John W. Johnson,	Emery Whitaker—13.
D. R. Haggard,		

The question was then taken on the amendment proposed by Mr. Cooper, as amended, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Cooper and Prichard, were as follows, viz:

Those who voted in the affirmative, were—

Edwin Hawes, Thos. Wrightson—2.

Those who voted in the negative, were—

John S. Barlow,	W. McKee Fox,	A. L. Martin,
R. A. Burton,	W. W. Frazer,	A. L. McAfee,
James B. Casey,	John J. Gatewood,	O. D. McManama,
J. Q. Chenoweth,	Jesse C. Gilbert,	Alfred T. Pope,
James F. Clay,	D. R. Haggard,	K. F. Prichard,
G. W. Connor,	H. S. Hale,	E. D. Standeford,
John E. Cooper,	J. B. Haydon,	A. G. Talbott,
F. W. Darby,	G. A. C. Holt,	Ben. J. Webb,
J. H. Dorman,	John W. Johnson,	Emery Whitaker—27.

And the question being taken on ordering said bill to be read a third time, the opinion of the committee to the contrary notwithstanding, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Cooper and Prichard, were as follows, viz:

Those who voted in the affirmative, were—

John E. Cooper,	H. S. Hale,	A. L. Martin,
W. W. Frazer,	Edwin Hawes,	K. F. Prichard,
Jesse C. Gilbert,	G. A. C. Holt,	Emery Whitaker—9.

Those who voted in the negative, were—

John S. Barlow,	J. H. Dorman,	A. L. McAfee,
R. A. Burton,	William P. Duvall,	O. D. McManama,
James B. Casey,	W. McKee Fox,	Alfred T. Pope,
J. Q. Chenoweth,	John J. Gatewood,	E. D. Standeford,
James F. Clay,	D. R. Haggard,	A. G. Talbott,
G. W. Connor,	J. B. Haydon,	Ben. J. Webb,
F. W. Darby,	John W. Johnson,	Thos. Wrightson—21.

So said bill was disagreed to.

Mr. McManama then moved to reconsider the vote by which the Senate had refused to order said bill to be read a third time.

Mr. Standeford moved to lay the motion on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Cooper and Holt, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	F. W. Darby,	O. D. McManama,
R. A. Burton,	William P. Duvall,	Alfred T. Pope,
James B. Casey,	W. W. Frazer,	E. D. Standeford,
J. Q. Chenoweth,	John J. Gatewood,	A. G. Talbott,

James F. Clay,	Edwin Hawes,	Ben. J. Webb,
G. W. Connor,	John W. Johnson,	Thos. Wrightson—18.

Those who voted in the negative, were—

John E. Cooper,	H. S. Hale,	A. L. McAfee,
W. McKee Fox,	J. B. Haydon,	K. F. Prichard,
Jesse C. Gilbert,	G. A. C. Holt,	Emery Whitaker—11.
D. R. Haggard,	A. L. Martin,	

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Darby, from the Committee on Courts of Justice—

An act to require the State Librarian to furnish stationery to the Court of Appeals;

By Mr. Haggard, from the Committee on Propositions and Grievances—

An act to change the county line between the counties of Owsley and Lee;

With the expression of opinion that said bills ought not to pass.

And the question being taken on ordering said bills to be read a third time, the opinion of the committee to the contrary notwithstanding, it was decided in the negative.

So said bills were disagreed to.

The Senate, according to order, took up for consideration a bill, which originated in the House of Representatives, entitled

An act to incorporate the Evansville and Jackson Railroad Company.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That Milton Brown, of Jackson, Tennessee; Ben. G. Eyell, of McKenzie, Tennessee; J. D. C. Atkins, of Paris, Tennessee; J. N. Woods, Marion, Kentucky; Jno. W. Givens, of Providence; Sam'l H. Cassidy, of Dycusburg, Kentucky; R. L. Ellison and J. C. McElrath, of Murray, Kentucky; C. W. Cook, Dixon, Kentucky; Chas. Anderson, Eddyville, Kentucky; J. W. Blue, Marion, Kentucky; and Geo. L. Dixon, Hiram E. Read, Robt. M. Martin, Wm. Hielman, David J. Mackey, W. F. Nesbitt, John S. Hopkins, and Peter Semonin, and such other persons as they may associate with themselves for the purposes of this act, be, and the same are hereby, constituted a body-politic and corporate, in perpetuity, by the name and style of "The Jackson and Evansville Railroad Company."

§ 2. Said railroad company shall be capable of contracting and being contracted with; of suing and being sued; of pleading and of being impleaded; may have a common seal, and make and alter the same at pleasure; and shall be capable in law of purchasing

and holding property, real, personal, and mixed, necessary and suitable for the object and purpose of constructing, maintaining, and operating a main line of railway and branches, with one or more tracks, and for providing all appurtenances, means, accommodations, and facilities, as may be deemed necessary by said company, for the construction and most convenient and profitable use of the same, as fully and completely as a natural person, the main line of the railroad to commence at an eligible point on the Ohio river, in the county of Henderson, Kentucky, opposite, or nearly opposite, the city of Evansville, Indiana, as may be deemed most practicable by the company; thence in a southwesterly direction to the Tennessee line, and by such route as the said company may deem most practicable.

§ 3. The capital stock of said company shall be fifty thousand dollars, in shares of one hundred dollars each, which may be subscribed by individuals or corporations, and shall be considered personal property; said company shall have the right to increase the same to six millions of dollars, whenever they may deem it necessary.

§ 4. Said corporators, each and any of them, and such other persons as a majority of them shall appoint as commissioners, are authorized to open books for subscriptions to the capital stock. He or they shall hold his or their office until the election of the board of directors.

§ 5. Said commissioner or commissioners shall, in any manner he or they may deem best, proceed at once to obtain subscriptions to the capital stock; and whenever five hundred shares shall have been subscribed, he or they shall close his or their books, and proceed at once to call an election for directors, fixing the time and place, and giving ten days' written notice to each of the subscribers.

§ 6. The subscribers having met pursuant to section fifth of this act, they shall proceed to elect, from their number, a board of seven directors. Each stockholder shall be entitled to one vote for each share of stock owned or controlled by him, her, or it; to be given in person or by proxy.

§ 7. Said directors shall fix a time and place, within their discretion, for the election, from their number, of a president, secretary, and treasurer, and fix the compensation of each.

§ 8. All the corporate powers of said company shall be vested in, and exercised by, a board of directors, a majority of whom shall constitute a quorum for the transaction of all business, and shall have power to fill vacancies in their board, to appoint such other officers, agents, or servants, as they may deem necessary; such appointees to remain in office during the pleasure of the directors.

§ 9. The annual election of directors shall be on the first Wednesday in March, or on such other day, and at such place, as the board of directors may order, twenty days' notice being given by publication in two or more newspapers published on the line of the road; said directors to remain in office for one year, and until their successors are elected and qualified. At all elections requiring a vote of the stokholders, a majority of the stock shall be represented.

§ 10. The president and directors shall have power to make such rules, regulations, and by-laws, not incompatible with the laws of this State or of the United States, as they may deem necessary for the carrying out the purposes of this act.

§ 11. The president and directors may open books and receive subscriptions to any of the capital stock which shall remain at any time unsubscribed for, or may sell or dispose of the same as they may deem best; and it shall be lawful for them to receive subscriptions to the capital stock, payable in well-secured contracts, to furnish such material, or to build such parts of the railroad and branches, or to perform such works in the construction thereof, as may be acceptable by the company, or payable in coal or iron lands, or any other lands; said lands to be taken at their actual cash value, or in bonds or notes of the subscribers, payable by installments or otherwise, as prescribed in the by-laws of the company. No subscription of stock obtained by the board of directors shall entitle the subscriber or the subscribers thereof to vote until they have received a certificate of stock for the amount subscribed by them respectively; and the company may issue preferred stock at any time when it may be deemed necessary for the construction of the road.

§ 12. Any county or precinct along the line of said road, or any civil district through which said road may be located, may subscribe to the capital stock of said company upon the application of the company's duly authorized agent to the county courts respectively; said county court, a majority of the justices of such county sitting when requested by said railroad company, may, in their discretion, order an election to take the sense of the legal voters of the county or district upon the proposition of subscribing, upon such terms and conditions as the said county court, justices presiding as aforesaid, may direct, to the capital stock of said railroad company, giving thirty days' notice (and naming the amount asked), by publication in some newspaper published in the county; and in case no paper is published in said county, then by the sheriff thereof, by posting up at each of the precincts printed notice; said election to be held and conducted as other county and district elections. Should the majority of the votes polled at any such election be in favor of the subscription of stock, the county courts respectively shall then subscribe the amount thereof upon the books of the company, and levy upon the taxpayers of such county or districts such sum as will be sufficient to pay the stock so subscribed; said tax to be collected as other county taxes, provided not more than fifty per cent. of such tax shall be collected in any one year. Whenever any county shall have subscribed to the capital stock of said company as aforesaid, the county court may issue bonds to the amount subscribed, or any part thereof, bearing interest at the rate of not exceeding ten per cent. per annum, with coupons attached, for the payment of said interest; said bonds not to be in smaller denominations than one hundred dollars each, redeemable and payable at such time and place as may be agreed upon.

§ 13. Any incorporated city or town, through or near which said road may be located, may subscribe to the capital stock of said com-

pany, upon application to the incorporate authorities thereof, by the company. Before the incorporate authorities shall subscribe to the capital stock of said company, they shall submit the proposition to an election of the voters of said city or town, fifteen days' notice being given (which notice shall state the amount asked); said election shall be held in manner and form as other municipal elections; and should the majority of the qualified voters of such town or city, polled at such an election, be in favor of such subscription, the mayor of said city or town shall subscribe the amount on the books of the company, and the incorporate authorities of said city or town may issue the bonds thereof to the amount so subscribed, or any part thereof, for the payment of said stock, with coupons attached for the interest, said interest not to exceed ten per cent. per annum; said bonds to be in denominations not less than one hundred dollars each, and payable or redeemable as may be agreed upon. The tax hereby authorized shall be levied and collected as other taxes in said city or town; and not more than fifty per cent. thereof shall be collected in any one year.

§ 14. The board of directors shall have power to require payment of stock subscribed in the manner, and at the time and place, in such sums as they may direct; and in default of payment, the shares of stock delinquent may, at the option of the board, after ninety days' public printed notice, be declared forfeited, or they may commence proceedings at law for the collection of any delinquencies. No subscriber shall be liable for any sum greater than the amount of his subscription.

§ 15. The board of directors may borrow money, from time to time, on the credit of the company, for the purpose of constructing their road; and may issue the corporate bonds of the company therefor in denominations not less than one hundred dollars, with coupons attached for the interest; and to secure the payment of the same, together with the interest, may mortgage or otherwise dispose of any of their corporate property, except their road-bed, in such manner and form as they may deem best.

§ 16. For the purpose of ironing and equipping the road, the company may issue their corporate bonds in denominations of not less than one thousand dollars, to the amount of eighteen thousand dollars per mile, bearing interest at any rate not exceeding ten per cent. per annum, with coupons attached therefor; and to secure the payment of the same, may mortgage or otherwise dispose of their road-bed and franchises, and all other property, in any manner not in conflict with this act nor the laws of this State they may deem best.

§ 17. The company may purchase, and by voluntary grant receive, and by their officers, engineers, agents, and contractors and workmen, enter upon, survey, take possession of, hold, and appropriate and use, any lands, real estate, and personal property, any earth, water, timber, gravel, stone, or other material, and any right of way and interest which may be necessary and useful for the construction, maintenance, and operation of their railroad and its branches, side-tracks, depots, stations, and other accommodations necessary to accomplish the object for which this corporation was created: *Pro-*

vided, The company shall not take possession of any such property, change or alter the same, until the compensation thereof shall have been paid or deposited as hereinafter provided.

§ 18. The president and directors may agree with the owner or owners of land, earth, timber, or stone, or any other material, or any improvements which may be wanted for the construction or repair of any parts of said road or its branches, or any of its works, for the purchase or the use and occupation of the same; and if they cannot agree, or if the owner or owners, or any of them, be a *feme covert*, minor, or *non compos mentis*, or out of the county in which the property wanted may lie, application may be made to any justice of the peace of such county, who, thereupon, shall issue his warrant, directed to the sheriff or any constable of the county, commanding him to summons a jury of twenty disinterested men, not related to either party, to meet on the land or near the property, or the material, on a day named in such warrant, not less than ten nor more than twenty days after the issuing of the same; and if, at the time and place, any of said jurors do not attend, said sheriff or constable shall forthwith summons as many others as may be necessary with those in attendance, and of them each party, or if not present, the sheriff or constable for the party absent, may strike off four jurors, and the remaining twelve shall act as such. The officer in attendance shall administer to the said jurors an oath or affirmation that "they will faithfully and impartially fix the damages which the owner or owners shall sustain, and find the actual value thereof;" and any benefit that may accrue to the remaining property may be estimated in liquidation of any incidental damages to the residue. Said jurors shall reduce their verdict to writing, describing the land or property condemned, sign the same, and it shall be returned by the officer having them in charge to the clerk of his county, and by such clerk shall be filed in his office, and shall be confirmed by the county court at its next term, from which appeals shall be as in other case from said court. In no case shall the prosecution of an appeal hinder or delay the work upon said road; and if the appellant shall not change the valuation ascertained by said jury, then he shall pay all the cost of said appeal. Such valuation, when tendered or paid to the owner or owners of said property, or his or her legal representative, or in case any owner shall live without the county, then deposited with the clerk of the county in which said property may be situated, shall entitle the company to the estate in the same as fully and completely as if conveyed by the owner or the owners of the same. The valuation, if not received at the time tendered, may be received at any subsequent time; but the company shall not be chargeable with interest on said valuation after the first tender.

§ 19. The company may construct their road and branches across any navigable river or water-course, road, highway, railroad, or canal, in such a manner as not to obstruct the use of the same, and so as to secure safety to life and property; and may cross, intersect, connect, and consolidate their road with any other road now constructed, authorized, or hereafter authorized to be constructed, upon such terms as may be agreed upon between the companies; and for

this purpose full power is hereby conferred upon this company to make and execute such contract or contracts as will secure the object of such crossing, connection, or consolidation; and in case the respective companies cannot agree upon the amount of damages caused by the crossing of the railroad hereby authorized to be built with the road crossed, then the companies shall have the damages determined in manner and form as prescribed in section 18 of this act; and full power is hereby reserved to this State to confer similar privileges upon other companies hereafter organized in regard to the crossing of the railroad hereby authorized to be built.

§ 20. The company may annually or semi-annually make such dividends of the net earning or profits of the road among the stockholders, according to their respective interests, as they may deem proper.

§ 21. The company may transport, by force of animals or steam, or both, passengers and property of all kinds, and may receive such rates of toll therefor as the directors or General Assembly of this Commonwealth shall, from time to time, establish, and may carry and transport the mail at agreed rates.

§ 22. Any incorporated city or town through which said railroad may be located, may donate or lease to said company a right of way through any part of said city or town, or along any street or alley, with the privilege of laying one or more tracks.

§ 23. The company may establish a telegraph along the line of road, and may erect and use any apparatus they may devise for conveying intelligence with rapidity.

§ 24. At the annual meeting of stockholders, it shall be the duty of the president to exhibit a clear and succinct statement of the affairs of the company; and at any meeting of the stockholders, a majority in value of those present may require an exhibition of the books; may inquire into and investigate the management and affairs of the company; they may, at any time, as hereinafter prescribed, remove any officer, and fill the vacancy by electing others; but, in all cases of removal from office, a written charge, clearly setting forth the matters of complaint, shall be preferred by a committee appointed for that purpose, and placed in the hands of accused at least ten days before final action. Said committee shall have the right to take possession of all books and papers belonging to the company, to examine witnesses, and to hold the accused in suspension, should they deem best, until final action on said charges.

§ 25. Meetings of the stockholders may be called at any time by the directors, or by stockholders owning not less than one fourth of all the stock, by giving thirty days' notice of the time and place, and the particular object for which said meeting is called.

§ 26. This company is hereby authorized to build and operate to its main track line any branch railroad or railroads, not to exceed ten miles in length, extending to any place they may desire, and, for this purpose, shall enjoy all the rights, privileges, and immunities, as are hereby conferred upon said company for the construction, equipping, and operating their main line of road.

§ 27. The General Assembly reserves the right and power to alter, amend, or repeal this charter, whenever it may deem proper.

§ 28. This act to take effect from its passage.

Mr. Clay then moved to amend said bill by striking out the "enacting clause" thereof.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Cooper and Holt, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	W. McKee Fox,	John W. Johnson,
R. A. Burton,	W. W. Frazer,	Alfred T. Pope,
James F. Clay,	John J. Gatewood,	E. D. Standeford,
William P. Duvall,	Edwin Hawes,	Ben. J. Webb—12.

Those who voted in the negative, were—

J. Q. Chenoweth,	Jesse C. Gilbert,	A. L. Martin,
G. W. Connor,	D. R. Haggard,	K. F. Prichard,
John E. Cooper,	H. S. Hale,	A. G. Talbott,
F. W. Darby,	J. B. Haydon,	Emery Whitaker,
J. H. Dorman,	G. A. C. Holt,	Thos. Wrightson—15.

Mr. Clay then moved to amend said bill by adding the names of the following persons as directors, viz:

S. B. Vance, H. F. Turner, E. L. Starling, Wm. A. Hopkins, Geo. M. Priest, E. W. Worsham, Joseph Adams, and L. H. Lyne, of the county of Henderson.

Mr. Holt then moved to amend said amendment by striking out all except the first named persons therein.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Standeford and Chenoweth, were as follows, viz:

Those who voted in the affirmative, were—

James B. Casey,	Jesse C. Gilbert,	K. F. Prichard,
J. Q. Chenoweth,	D. R. Haggard,	A. G. Talbott,
John E. Cooper,	H. S. Hale,	Emery Whitaker,
F. W. Darby,	G. A. C. Holt,	Thos. Wrightson—14.
J. H. Dorman,	A. L. Martin,	

Those who voted in the negative, were—

John S. Barlow,	W. McKee Fox,	John W. Johnson,
R. A. Burton,	W. W. Frazer,	O. D. McManama,
James F. Clay,	John J. Gatewood,	Alfred T. Pope,
G. W. Connor,	Edwin Hawes,	E. D. Standeford,
Wm. P. Duvall,	J. B. Haydon,	Ben. J. Webb—15.

The question was then taken on the adoption of Mr. Clay's amendment, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. McManama and Connor, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	W. McKee Fox,	J. B. Haydon,
R. A. Burton,	W. W. Frazer,	John W. Johnson,
James F. Clay,	John J. Gatewood,	O D.McManama,
G. W. Connor,	Jesse C. Gilbert,	Alfred T. Pope,
F. W. Darby,	H. S. Hale,	E. D. Standeford,
Wm. P. Duvall,	Edwin Hawes,	Ben. J. Webb—18.

Those who voted in the negative, were—

James B. Casey,	D. R. Haggard,	A. G. Talbott,
J. Q. Chenoweth,	G. A. C. Holt,	Emery Whitaker,
John E. Cooper,	A. L. Martin,	Thos. Wrightson—11.
J. H. Dorman,	K. F. Prichard,	

Mr. Hale then offered the following amendment to said bill, viz:

Provided, That an act approved ————, 1872, authorizing the extension of the Mississippi Central Railroad through and across the State of Kentucky, to some point on the Ohio or Mississippi river, shall have precedence over this act: *And provided further*, That if the said Mississippi Central Railroad Company shall, within ninety days after the approval of said act, commence the work of construction of the said extension of the Mississippi Central Railroad, as provided for in said act, across the State of Kentucky, and it shall be determined that the northern terminus of said extension shall be at the city of Henderson, Kentucky, then this act shall be void and of no effect.

Which was rejected.

Mr. Clay then moved further to amend said bill as follows, viz:

By striking out in the sixth line of the nineteenth section, after the word "cross," the words "connect and consolidate their road with any other road now constructed, authorized, or hereafter authorized to be constructed, upon such terms as may be agreed upon between the companies."

Pending the consideration of which amendment, Mr. Chenoweth moved to postpone the further consideration of said bill and pending amendment, and that it be made the special order of the day for Tuesday next, the 26th inst., at twenty minutes past nine o'clock, A. M.

Which motion was adopted.

The following bills were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Haggard, from the Committee on Propositions and Grievances—

A bill for the benefit of the Kentucky River Navigation Company.

By Mr. Pope, from the Committee on the Judiciary—

A bill to amend the charter of the town of Midway.

By Mr. Gilbert, from the Committee on Courts of Justice—

A bill to amend an act creating a criminal court for the counties of Bracken, Pendleton, Harrison, Campbell, and Kenton.

By same—

A bill to regulate the time for holding the terms of the circuit courts in the 12th judicial district.

By same—

A bill to fix and regulate the times of holding the chancery court in Bracken, Pendleton, Campbell, and Kenton counties.

By Mr. Haggard, from the Committee on Propositions and Grievances—

A bill for the benefit of William Adams and son, of Magoffin county.

By same—

A bill for the benefit of A. Q. Baker, late sheriff of Boone county.

By Mr. Chenoweth, from the Committee on Railroads—

A bill to amend an act, entitled "An act to incorporate the Cumberland and Ohio Railroad Company."

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, the 1st was ordered to be printed, and made the special order of the day for to-morrow, at 12 o'clock, M., and all the others were ordered to be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Martin, from the Committee on the Library and Public Buildings and Offices, reported

A bill to increase the salary of the chief clerk in the Land Office.

Which bill was read the first time and ordered to be read a second time.

Said bill was read a second time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the present salary of Richard Sharp, the chief clerk of

the Land Office, be, and the same is hereby, increased three hundred dollars per annum, payable as now provided by law.

§ 2. This act to be in force from its passage.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

J. Q. Chenoweth,	W. W. Frazer,	O. D. McManama,
James F. Clay,	John J. Gatewood,	Alfred T. Pope,
G. W. Connor,	Jesse C. Gilbert,	K. F. Prichard,
John E. Cooper,	D. R. Haggard,	E. D. Standeford,
F. W. Darby,	G. A. C. Holt,	A. G. Talbott,
William P. Duvall,	John W. Johnson,	Ben. J. Webb—20.
W. McKee Fox,	A. L. Martin,	

Those who voted in the negative, were—

John S. Barlow,	H. S. Hale,	J. B. Haydon—5.
J. H. Dorman,	Edwin Hawes,	

Resolved, That the title of said bill be as aforesaid.

Mr. Barlow, from the Committee on Claims, to whom had been referred a bill, which originated in the House of Representatives, entitled

An act to provide for the payment of the expenses incurred in taking care of a pauper lunatic,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

WHEREAS, Watson Stephenson, a pauper, was, by a legal inquest, found to be a lunatic in Madison county, and was sent by the county judge of said county to the asylum at Lexington, but failed to be admitted because said asylum was full; and on account of his dangerous condition was then confined for 120 days, and until his death, in the jail of said county, and furnished with a coffin and burial clothes; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the county judge of Madison is authorized to certify to the Auditor of Kentucky the expenses incurred in taking care of said Watson Stephenson, including, also, the cost of sending him to Lexington and bringing him back, and his burial expenses; and the Auditor thereupon shall draw his warrant on the Treasurer for said amount, provided it shall not exceed $130, to be used by said county judge in defraying said expenses.

§ 2. This act shall take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	John J. Gatewood,	O. D. McManama,
R. A. Burton,	Jesse C. Gilbert,	Alfred T. Pope,
James B. Casey,	D. R. Haggard,	K. F. Prichard,
J. Q. Chenoweth,	H. S. Hale,	E. D. Standeford,
G. W. Connor,	Edwin Hawes,	A. G. Talbott,
John E. Cooper,	J. B. Haydon,	W. L. Vories,
J. H. Dorman,	John W. Johnson,	Ben. J. Webb,
W. McKee Fox,	A. L. Martin,	Emery Whitaker,
W. W. Frazer,	A. L. McAfee,	Thos. Wrightson—27.

In the negative—none.

Resolved, That the title of said bill be as aforesaid.

Mr. Chenoweth, from the Committee on Railroads, to whom was referred the amendments proposed by the House of Representatives to bills, which originated in the Senate, of the following titles, viz:

An act to incorporate the Ohio Valley Railroad Company;

An act to amend an act, entitled "An act to incorporate the Kentucky and Tennessee Railroad Company," approved February 25th, 1871;

An act to incorporate the Westport, Carrollton, and Ghent Railroad Company;

Reported the same, with the expression of opinion that said amendment should be concurred in.

And the question being taken thereon, it was decided in the affirmative.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Holt, from the Committee on Courts of Justice—

An act to increase the duties of the county attorney of Barren county.

By Mr. Whitaker, from the Committee on Courts of Justice—

An act to authorize the members of the bar of the Kenton county court to elect a special judge.

By same—

An act legalizing certain orders of the Mercer county court.

By same—

An act to require the clerk of the Kenton county court to make a cross-index of deeds and mortgages recorded at Covington.

By Mr. Darby, from the Committee on Courts of Justice—

An act to amend an act, entitled "An act to require the county courts to have one or more fire-proof vaults for the safe-keeping of public records in their respective counties."

By same—

An act to exempt Pulaski and Clinton counties from the provisions and requirements of an act approved February 11th, 1867.

By same—

An act authorizing the Carter county court to appoint a commissioner and receiver of funds collected in said county for the purpose of meeting the subscription to the Lexington and Big Sandy Railroad Company.

By Mr. Burton, from the Committee on Finance—

An act for the benefit of Farish Arnett, sheriff of Magoffin county.

By same—

An act for the benefit of Amos Davis, sheriff of Morgan county.

By Mr. Chenoweth, from the Committee on Railroads—

An act to authorize the city of Henderson to issue bonds for railroad purposes.

By same—

An act to incorporate the Hartford, Calhoon, and Morganfield Railroad Company.

By Mr. Whitaker, from the Committee on Courts of Justice—

An act to confer upon the town marshal of Parksville, in Boyle county, the rights, duties, and powers of constables in certain civil cases.

By Mr. Darby, from the Committee on Courts of Justice—

An act for the benefit of Webster county.

By Mr. Hale, from the Committee on Finance—

An act for the benefit of Wm. Risner and Charles Menix, sureties of Stephen Howard, sheriff of Magoffin county.

With amendments to the last three named bills.

Ordered, That said bills, the last three named as amended, be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, the last three as amended, and that the titles thereof be as aforesaid.

Mr. Casey, from the Committee on Enrollments, reported that the committee had examined an enrolled bill, which originated in the House of Representatives, of the following title, viz:

An act to authorize the county court of Madison county to sell the stock owned by said county in the Louisville and Nashville Railroad Company, and reinvest the proceeds of the sale;

And had found the same truly enrolled.

Said bill having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and it was delivered to the committee, to be presented to the Governor for his approval and signature.

After a short time, Mr. Casey reported that the committee had performed that duty.

On motion of Mr. Barlow, leave was given to bring in a bill, entitled

A bill for the benefit of common school districts in Barren county.

Ordered, That the Committee on Education prepare and bring in the same.

And then the Senate adjourned.

SATURDAY, MARCH 23, 1872.

A message was received from the House of Representatives, announcing that they had concurred in the amendments proposed by the Senate to bills, which originated in the House of Representatives, of the following titles, viz:

An act to establish and provide for certain precincts and voting places in the city of Lexington and county of Fayette.

An act to incorporate the Owingsville Cemetery Company.

An act in aid of the construction of a levee on the Mississippi river, in Fulton county.

That they had disagreed to the passage of bills, which originated in the Senate, entitled

An act to change the time of paying the revenue by sheriffs into the Treasury.

An act for the benefit of Wm. S. Allen, sheriff of Breathitt county.

An act to require county clerks to report to the Auditor the indebtedness of their respective counties.

That they had passed bills, which originated in the Senate, of the following titles, viz:

An act to amend section 1, article 21, chapter 28, of the Revised Statutes.

An act to amend an act, entitled "An act authorizing the sale of real estate and slaves in which there is a future contingent interest," approved August 23, 1862.

An act to amend section 29, chapter 103, Revised Statutes.

An act for the benefit of Alderson T. Keene, sheriff of Cumberland county.

An act authorizing the clerk of the Boyd circuit court to procure a general cross-index, and to index and cross-index all equity and common law suits of the docket on file in his office.

An act to amend an act, entitled "An act to provide for the organization and regulation of incorporated companies, except banking, insurance, and railroad companies," approved March 15, 1870.

An act to amend an act, entitled, "An act authorizing the Commissioners of the Sinking Fund to contract with State banks for interest on State deposits," approved March 2, 1865.

An act to amend chapter 83 of the Revised Statutes, title "Revenue and Taxation."

An act to provide for the election and compensation of a vice chancellor of the Louisville chancery court, and to define his duties in connection with said court, and with the Jefferson court of common pleas, and to provide a room and offices for his court.

An act to regulate the time of holding the circuit courts in the 14th judicial district.

An act for the benefit of the Deaf and Dumb Asylum at Danville.

With amendments to the last two named bills.

The last of which was taken up and concurred in.

That they had passed bills of the following titles, viz:

1. An act to reimburse the county court of Fleming county for expenses incurred for the keeping and support of a pauper lunatic of said county.

2. An act to amend the charter of the city of Ludlow.

3. An act to amend an act to authorize commissioners to sell the poor-house farm of Henry county.

4. An act to amend an act chartering the Muldrow's Hill, Campbellsville, and Columbia Turnpike Road Company.

5. An act authorizing the Auditor to remit damages on delinquent property.

6. An act for the benefit of the Hillsboro and Wyoming Turnpike Road Company, in Fleming county.

7. An act to amend the charter of the Elizaville and Fairview Turnpike Road, in Fleming county.

8. An act to amend the charter of the city of Covington.

9. An act to incorporate the Frankfort Building and Loan Association.

10. An act to authorize Glasgow Lodge, No. 65, Independent Order of Odd Fellows, to issue bonds and buy a lot of land.

11. An act to provide for the building of turnpike roads in Adair county.

12. An act for the benefit of Daniel Lewis, of Adair county.

13. An act to amend the act incorporating the town of Quincy, in Lewis county, extending the limits of said county, and prohibiting the sale of spirituous, vinous, or malt liquors, and for other purposes.

14. An act to amend an act, entitled "An act to amend an act, entitled 'An act to charter the Cabin Creek, Sand Hill, and Manchester Turnpike Road Company,'" approved March 15th, 1871.

15. An act in relation to the collection of the turnpike road tax in Lewis county.

16. An act for the benefit of the clerks of the county courts of Lewis, Clark, and Montgomery counties.

17. An act to amend an act, entitled "An act to incorporate the Shepherdsville and Belmont Furnace Turnpike Road Company," approved March 14th, 1871.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st to the Committee on Claims; the 2d, 8th, 9th, 10th, and 13th to the Committee on the

Judiciary; the 4th, 6th, 7th, 14th, and 17th to the Committee on Internal Improvement; the 15th and 16th to the Committee on Courts of Justice, and the 3d, 5th, 11th, and 12th were ordered to be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A message was also received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz:

An act changing the time of holding the February term of the Franklin circuit court.

An act for the benefit of John D. Boyes, of Magoffin county.

An act to amend an act to incorporate the Eminence and Smithfield Turnpike Road Company.

An act to change the time of electing the officers of the Madison County Stock, Agricultural, and Mechanical Association.

An act to regulate the terms of the Boyle county quarterly court.

An act to amend an act, entitled "An act to incorporate the town of Corydon, in the county of Henderson," approved February 15th, 1868.

An act for the benefit of Henry C. Lucas, of Russell county.

An act to amend an act, entitled "An act to amend an act, entitled 'An act for the benefit of Lincoln county.'"

An act submitting to the qualified voters of Josh Bell county the question of prohibiting the sale of spirituous liquors in said county.

An act to prohibit the sale of intoxicating liquors in Pulaski county.

An act to amend the charter of the Smithfield and Shelbyville Turnpike Road Company.

An act to amend the charter of the Ghent and Eagle Creek Turnpike Road Company.

An act to amend the charter of the Lowell and Spoonsville Turnpike Road Company," approved February 1, 1868.

An act for the benefit of citizens of Garrard county.

An act to amend an act, entitled "An act to reduce into one the several acts in relation to the town of Richmond."

An act for the benefit of turnpike roads in Scott county.

An act to amend an act, entitled "An act to incorporate the German Insurance Company."

An act to incorporate the Scuffletown Fence Company.

Resolution for the benefit of B. E. Woodworth.

Mr. Duvall moved to reconsider the vote by which the Senate had disagreed to the passage of a bill, which originated in the House of Representatives, entitled

An act to incorporate the Lancaster Benevolent Society.

Which motion was simply entered.

Mr. Holt moved to reconsider the vote by which the Senate had concurred in the amendment proposed by the House of Representatives to a bill, which originated in the Senate, entitled

An act to amend the charter of the Louisville, Cincinnati, and Lexington Railroad Company.

Which motion was simply entered.

Mr. Darby moved to reconsider the vote by which the Senate had disagreed to the passage of a bill, which originated in the House of Representatives, entitled

An act to incorporate the Castleberry Coal, Iron Mining, and Manufacturing Company.

Which motion was adopted.

Ordered, That said bill be read a third time, the opinion of the committee to the contrary notwithstanding.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Whitaker moved to reconsider the vote by which the Senate had, on yesterday, rejected a resolution, entitled

Resolution to appoint a delegate to the International Congress for the prevention and repression of crime.

Which motion was simply entered.

A message in writing was received from the Governor by Mr Botts, Assistant Secretary of State.

Said message was taken up and read as follows, viz:

STATE OF KENTUCKY, EXECUTIVE DEPARTMENT,
FRANKFORT, March 23d, 1872.

Gentlemen of the Senate:

I hereby nominate for your advice and consent the following persons as suitable to be commissioned as notaries public, viz:

Buford Twyman, of Jefferson county.
Dabney B. Overton, of Jefferson county.
William F. Marrs, of Fayette county.
John T. Shelby, of Fayette county.
W. King, of Fayette county.
J. A. Corley, of Marion county.
Lewis D. Baldwin, of Jessamine county.
James B. Fitzpatrick, of Letcher county.
Richard Tuggle, of Josh Bell county.

Respectfully,

P. H. LESLIE.

Resolved, That the Senate advise and consent to said nominations.

A message in writing was received from the Governor by Mr. Botts, Assistant Secretary of State.

Said message reads as follows, viz:

STATE OF KENTUCKY, EXECUTIVE OFFICE,
FRANKFORT, March 22, 1872.

Gentlemen of the Senate and House of Representatives:

I herewith transmit to you a communication addressed to me in reference to procedure, under an act of Congress, making provision for "extending the triangulation of the coast survey, so as to form a geodetic connection between the Atlantic and Pacific coasts of the United States."

You will perceive from the communication that the determination of geographical positions has been already commenced in the State of Kentucky, and it is expected that, during the present year, the triangulation can be entered on.

I recommend that the Legislature pass an act granting the rigths and protection necessary to the successful prosecution of the enterprise, and for information as to the facilities required. I also transmit a copy of an act passed by the State of Connecticut relating to the coast survey.

Respectfully,

P. H. LESLIE.

WASHINGTON CITY, D. C., December 27, 1871.

To the HON. P. H. LESLIE, *Governor of the State of Kentucky:*

SIR: In the "Act making appropriations for sundry civil expenses of the Government for the year ending June 30, 1872, and for other purposes," passed by Congress and approved by the President 1871, the following paragraph occurs under the head of survey of the coast:

"For extending the triangulation of the coast survey, so as to form a geodetic connection between the Atlantic and Pacific coasts of the United States, including compensation of civilians engaged in the work, per act of March 3d, 1843: *Provided*, That the triangulation shall determine points in each State of the Union which shall make requisite provision for its own topographical and geological surveys."

Under the above authority the determination of geographical positions has been already commenced in Kentucky, and it is hoped that before the next meeting of the Legislature the triangulation will be started.

The assistants in the survey, who may be employed on this duty, must necessarily have the right to enter upon private lands, erect signals, and secure the stations for future use, either for national or State purposes; and I have, therefore, the honor to request that you would recommend to the Legislature of Kentucky the passage, at its present session, of a law similar to the laws passed by the seaboard States for the protection of the signals and stations of the triangulation and of the officers engaged in its execution, and for the assessment of damages in case of disagreement as to the extent of the injury which may be occasionally and unavoidably done to private property during the progress of the work.

I have the honor to be,
Very respectfully,
Your obedient servant,
RICH'D D. CUTTS,
Assistant in charge Secondary Triang'n.

At a General Assembly of the State of Connecticut, holden at Hartford, in said State, on the first Monday of May, in the year of our Lord one thousand eight hundred and sixty-one:

AN ACT relating to the Survey of the Coast, and to the operations connected therewith, in the State of Connecticut.

§ 1. *Be it enacted by the Senate and House of Representatives in General Assembly convened*, Persons employed under an act of the Congress of the United States, passed the tenth day of February, in the year eighteen hundred and seven, and the supplements thereto, may enter upon lands within the State for any purpose which may be necessary to effect the objects of said act, and the supplements thereto; and may erect works, stations, buildings, or appendages for that purpose, doing no unnecessary injury.

§ 2. If the parties interested cannot agree upon the amount to be paid for damages caused thereby, either of them may petition the county commissioners of the county in which the land lies, who shall appoint a time for a hearing as soon as may be, and order at least fourteen days' notice to all persons interested, and with or without a view of the premises, as they may determine, hear the parties and their witnesses, and assess the damages.

§ 3. The county commissioners shall file, in the office of the clerk of the superior court of the county in which the land is situated, a report of their doings, which shall be conclusive, unless one of the parties shall, within thirty days after filing of such report, file a petition to said court for a new hearing, to be had in such superior court; in which case, after such notice of such petition to the opposite party, as the said superior court, if in session, or if in vacation, as any judge thereof, or of the supreme court, or any county commissioner of the county in which such petition is pending, shall direct, a trial shall be had in said court in the same manner as other civil actions are tried; and such hearing shall take precedence of all other civil actions.

§ 4. The persons so entering upon land may tender to the party injured amends therefor; and if the damages finally assessed do not exceed the amount tendered, the person entering shall recover costs, otherwise the prevailing party shall recover costs.

§ 5. The costs to be taxed and allowed in all such cases, either before the county commissioners or the superior court, shall be the same as are ordinarily taxed according to the rules and practice in the superior court.

§ 6 Whoever willfully injures, defaces, or removes any signal, monument, building, or appendage thereto, erected, used, or constructed under said act of Congress, shall forfeit the sum of fifty dollars for each offense, and shall be liable for damages sustained by the United States, to be recovered in an action of tort.

Approved June 5th, 1861.

STATE OF CONNECTICUT, *ss:*

OFFICE OF SECRETARY OF STATE.

I hereby certify that the foregoing is a true copy of record in this office.

In testimony whereof, I have hereunto set my hand and affixed the seal of said State, at Hartford, this 6th day of June, A. D. 1861.

[Copy.] J. H. TRUMBULL,

Secretary of State.

Ordered, That said message be printed and referred to the Committee on Immigration and Labor.

Mr. McManama, from a select committee, reported

A bill to incorporate the Kentucky Institute for the Education of the Children of White Soldiers, and for the benefit of Common School Fund.

Which bill was read the first time and ordered to be read a second time.

Said bill was read a second time as follows, viz:

WHEREAS, During the late war the children of the white soldiers, deprived of the benefits of schools, because of the disturbed condition of the country, have been left in the race of life far behind the children of persons otherwise situated; and whereas, by the result of said war, the soldiers generally came out of the contest with little or no estate, and hence unable to provide means for the suitable education of their children; and whereas, in the opinion of this General Assembly, it is both wise and just to such children, and their descendants, to provide means for their education; and, in view of the financial condition of the State, that the same be done, if possible, without levying taxes therefor, and by calling into action agencies hitherto employed in furtherance of religious, educational, literary, and scientific purposes; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That Alvin Duvall and S. F. J. Trabue, of the county of Franklin; William H. Botts, of the county of Barren; George M. Jessee, of the county of Henry; Emery Whitaker, of the county of Mason; Thomas W. Varnon, of the county of Lincoln; and J. J. McAfee, of the county of Mercer, and their successors in office, be, and hereby are, constituted a body-politic and corporate, under the name and style of "The Kentucky Institute for the Education of the Children of White Soldiers, and for the benefit of the Common School Fund;" and by that name they shall have perpetual succession, with power to adopt and use a common seal, and change the same at pleasure; to make contracts for the benefit of said Institute and common school fund; to sue and be sued; to plead and be impleaded, in any of the courts of this Commonwealth; to acquire by gift, grant, devise, purchase, or otherwise, any real or personal property for the benefit of said Institute, not to exceed fifty thousand dollars in value, exclusive of the endowment fund; to sell and dispose of the same at pleasure, according to the by-laws which may hereafter be established by the board of trustees of said Institute, and to reinvest the proceeds thereof in such other real and personal estate, for the use and benefit of said Institute; also to have and receive from James S. Smith, Samuel T. Dickinson, and their associate, their heirs, personal representatives, and assigns, the sum of two hundred thousand dollars ($200,000), to be raised by them for the benefit of said Institute and common school fund, at the times, and in the manner, hereinafter mentioned. All of which property, real and personal, and said endowment fund, shall be held and used exclusively for the education of such persons as are named in the preamble to this act, and their descendants. Said corporators, and their successors in office, shall be called the trustees of said Institute.

§ 2. The trustees hereby incorporated shall be self-perpetuating, and shall hold their offices until they resign, die, or, for cause, are removed, according to the by-laws to be established for their regulation under this act.

§ 3. All real estate purchased, or otherwise obtained under this charter, shall be vested in the name of the corporation, and shall be forever held for the purposes of education as herein set out, and shall not be diverted to any other use whatever; and the same, and all the estate of every kind and nature held and so used by said Institute, shall be exempt from all taxation, and also this franchise, by any power or proceeding under the authority of this Commonwealth.

§ 4. The trustees shall have power to choose from their own body a president, a secretary, and a treasurer, and shall have power to fill all vacancies in their own body, or in said offices, or they may appoint the secretary and treasurer from persons without their own body, as they, in their by-laws, may prescribe. At all meetings, a majority of the trustees shall constitute a quorum to do business.

§ 5. The trustees shall have power, a majority of them concurring, to elect the president, professors, tutors, and other employees of said Institute, and prescribe their qualifications, duties, and time and terms of employment; and upon the disqualification, death, resignation, or removal from office of any of the trustees, president, professors, tutors, or other employees, or the officers of said Institute, the board of trustees shall fill the vacancy by election or appointment.

§ 6. It shall be the duty of the board of trustees, in all instances, without delay, to fill any and all vacancies, so that the Institute shall, at all times, be, and remain, in an efficient state of organization, so as faithfully and energetically to carry out the purposes of this act.

§ 7. The board of trustees shall require of the treasurer a bond, in such sum as they may deem proper, to be executed to the Institute, with approved security, binding him and his security to make good any loss or damage the said Institute may suffer by any wrongful act of said treasurer, or by any omission of duty, or any failure on his part to discharge any and all duties devolved upon him by the by-laws of the Institute, or the orders or resolutions of the board of trustees.

§ 8. The trustees shall have power, from time to time, to establish such by-laws, rules and regulations, not inconsistent with this act, the Constitution and laws of this State or of the United States, as they shall deem necessary for the supervision and government of said Institute; but no by-law, rule or regulation, shall be established, which would give a sectarian caste to the Institute, or forbid the reading of the Holy Bible therein.

§ 9. Said board of trustees shall have power to prescribe the studies, courses of study, and class-books for said Institute, and revise the same at least once in every year.

§ 10. There shall no partiality be shown by the board in the distribution of diplomas, certificates, or other testimonials; but each shall be a true recital as to the scholarship and conduct of the recipient, so that the children of the poor and rich shall stand upon the equal basis of honors earned and merits rewarded. All diplomas, certificates, and other testimonials, shall be signed by the president of the board of trustees, and attested by the secretary, with the seal of the Institute affixed.

§ 11. Should said board of trustees, at any time, have on hand funds not immediately required for investment in real estate or other use, for the purposes of said Institute, the same shall at once be loaned out or invested for the purpose of endowing said Institute, and using only the income derived therefrom in carrying forward said Institute. The object of this act being not only to purchase land, erect suitable buildings thereon, and furnish the same with all needful philosophical apparatus, and sufficient library, but also to permanently endow the same; and this end shall be kept constantly in view by the board of trustees, so that when the two hundred thousand dollars shall have been received, one hundred thousand of it, at least, shall be on hand, and invested as a permanent endowment fund, so that the board can at all times, from the beginning of the Institute, grant free tuition to the children of white soldiers, and their descendants.

§ 12. That the franchise to raise, by way of lottery, the net sum of two hundred thousand dollars, is hereby granted and conferred upon said Institute, which sum shall be used by the board of trustees for the exclusive benefit of said Institute, in accordance with the provisions of this act, less twenty per cent. to be paid to the common school fund; and the exclusive use of said franchise is hereby transferred unto, and conferred upon, James S. Smith and Samuel T. Dickinson, and their associate, not exceeding three in number, including themselves, their heirs, personal representatives, and assigns, but upon the following terms and conditions: Before said Smith and Dickinson and associate shall in any manner, or in any place, make any use of said franchise, they shall enter into bond, with good security, to the Commonwealth of Kentucky, in the penalty of one hundred thousand dollars, with condition that they will pay unto said Institute and common school fund the sum of six thousand dollars per annum, in monthly installments of five hundred dollars each, for and during the full term of thirty-three years and four months, or until said sum of two hundred thousand dollars shall be fully paid unto said Institute and common school fund; and also, that said Smith and Dickinson and associate, their heirs, personal representatives, and assigns, shall, within ninety days after any drawing by them, under said franchise, pay, or cause to be paid, to the fortunate person or persons holding a ticket or tickets thereof, all such prize or prizes as may be drawn by any individual or individuals, or company of individuals, under any plan, system or systems, by which said drawing may have been conducted; and which bond may be sued on in the name of the Commonwealth of Kentucky, for the use and benefit of said Institute and common schol fund, or of any person or persons injured by a breach of any condition thereof. Should said Smith and Dickinson and associate fail to execute the required bond for sixty days after the passage of this act, their right to so execute a bond, and to the use of said franchise, shall cease; and said trustees shall thereupon have the right to sell the privilege to use said franchise to other parties upon the same terms. The sufficiency of the security, in any bond so to be executed, shall not be established, nor the bond accepted, until the same shall have been passed upon and approved by the

board of trustees, and the said approval been, by order of said board, indorsed thereon and signed by the president, and attested by the secretary, and the seal of the Institute affixed thereto. All of which having been done, the bond and indorsement shall be lodged for record in the office of the clerk of the county court of Franklin county, which shall be the proper office for the recording of all instruments touching the rights of parties under this franchise, and which bond and indorsement shall, by said clerk, be recorded and indexed among the deeds recorded in his office, and when so recorded, shall stand and have the same force and effect as other recorded instruments; and for his services in recording the same, the clerk shall be paid by said obligors a fee of two dollars, and the same tax as is by law required to be paid upon deeds, and for the same fund and purpose. Should the security on said bond at any time become insolvent, or not sufficient to make good and safe the said sum of one hundred thousand dollars in the opinion and judgment of said board of trustees, they shall have the right, and it shall be their duty, to so notify said Smith and Dickinson and associate, their personal representatives or assigns, and to require of them new or additional security, to be in all respects approved and disposed of as in the case of an original security. In case of the sale by said Smith and Dickinson and associate of any portion, or all of the rights so acquired by them, the assignee shall, in all respects, before using said franchise, and while in its use, proceed as in case of original holders thereof to execute and renew bonds as herein set forth. If said Smith and Dickinson and associate, their heirs, personal representatives, or assigns, when notified in writing, by said board of trustees, to give new or additional security, shall fail so to do for sixty days after such notice, the right to use said franchise shall thereupon and thereby revert to said Institute and common school fund; and said board of trustees shall thereupon have the right to sell the privilege to use the same to other persons, upon such time and terms as may, by the parties, be agreed upon, until such portion of the said two hundred thousand dollars as then remains unrealized shall be received from such vendee, but no longer. Should said Smith and Dickinson and associate, their heirs, personal representatives, or assigns, by any legal tribunal, without their consent, be deprived of the use of said franchise for any period of time, then, during such period, the compensation for such use shall also cease; and should the right be again restored, then the compensation shall again begin and go on as before, and the time of its use shall be extended, so as to cover the full time of such deprivation of the use of the franchise.

§ 13. Said Smith and Dickinson and associate, their heirs, personal representatives, or assigns, and others, shall have the right, while in the use of said franchise, to conduct the drawings thereunder, under such scheme or schemes, and in accordance with such system or systems, plans or arrangements as to tickets, numbers, and prizes, as to them shall seem best adapted to accomplish the purposes of this act; and they shall have the right to change the same, from time to time, should it be found expedient so to do, and to use different

schemes and systems upon the same day, and to decide supplemental tickets by the numbers of an original drawing; the prizes and blanks to be drawn by both original and supplementary tickets may be decided by the same drawn numbers: *Provided always*, That their intent so to proceed shall, in every instance, be published before the drawing takes place.

§ 14. The board of trustees, or a majority of them, shall locate said Institute in any county in this State as shall by them be deemed best for its future prosperity. They are authorized, if they deem proper so to do during the early years of said Institute, before a sufficient fund shall have been acquired to purchase lands, erect buildings, and furnish them, to lease premises sufficient for the accommodation of such pupils as may apply for admission. But the board shall, as soon as practicable, proceed to purchase land, erect and furnish suitable buildings, and increase the same in number and size, as the wants and necessities of the Institute may require. Jurisdiction is hereby conferred upon the circuit court of Franklin county, upon complaint of any persons interested in the enforcement of the trust confided to the board of trustees, by proper orders, to compel the execution of the trust hereby confided to said trustees; and for sufficient cause, for maladministration of the duties herein devolved upon said trustees, to remove the wrong-doer or doers, and to supply his place, or their places, with other persons competent to discharge all the duties devolved upon the board of trustees by this act.

§ 15. There shall be no office established in the State of Kentucky for the sale of tickets, nor shall any tickets be sold in this State under this franchise; and any person violating the provisions of this section shall be subject to all the penalties prescribed by existing laws for similar offenses.

§ 16. That the treasurer shall receive and receipt for all moneys due the Institute from any and all sources, and pay the same out by order of the board of trustees, signed by the president and countersigned by the secretary thereof.

§ 17. This act shall take effect from its passage.

Mr. Holt moved to amend said bill as follows, viz:

Provided, That the sum of four thousand dollars of the amount to be raised by this bill shall be paid, by Duvall and others, incorporators as aforesaid, each year, to the trustees of the Murray Male and Female Institute, for the support and benefit of the military department thereof; and shall be paid, after the first year, in such manner and at such times as said trustees may demand; and that the said military department shall be forever free for the tuition of the male children of all dead soldiers of the First Congressional District of this State, upon such terms and regulations as the said trustees may establish.

Pending the consideration of which amendment, Mr. Pope moved to lay said bill and pending amendment on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Hawes and Pope, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	W. McKee Fox,	Edwin Hawes,
James F. Clay,	W. W. Frazer,	G. A. C. Holt,
John E. Cooper,	John J. Gatewood,	John W. Johnson,
F. W. Darby,	Jesse C. Gilbert,	Alfred T. Pope—14.
J. H. Dorman,	H. S. Hale,	

Those who voted in the negative, were—

R. A. Burton,	A. L. Martin,	A. G. Talbott,
G. W. Connor,	A. L. McAfee,	W. L. Vories,
William P. Duvall,	O. D. McManama,	Emery Whitaker—11.
D. R. Haggard,	K. F. Prichard,	

Mr. Hale, from the Committee on Finance, to whom had been referred a bill, which originated in the House of Representatives, entitled

An act for the benefit of E. P. Thomas, clerk of the Henry county court,

Reported the same, with the expression of opinion that said bill ought not to pass.

And the question being taken on ordering said bill to be read a third time, the opinion of the committee to the contrary notwithstanding, it was decided in the negative.

So said bill was disagreed to.

The Senate took up for consideration the following resolution, heretofore proposed by Mr. Boyd, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Auditor of Public Accounts furnish to this General Assembly, at its present session, a statement showing the exact amount paid to each of the judges of the circuit, criminal, common pleas, and chancery courts of this Commonwealth, and to judges *pro tem.*, in pursuance of an act regulating the salary of such judges, approved February 11th, 1871.

Mr. Martin moved to lay said resolution on the table.

Which motion was adopted.

The Senate took up for consideration a bill, which originated in the House of Representatives, entitled

An act to incorporate the Pendleton Building and Savings Association, of Falmouth.

The question was then taken on ordering said bill to be read a third time, the opinion of the committee to the contrary notwithstanding, and it was decided in the negative.

So said bill was disagreed to.

The Senate took up for consideration the disagreement between the two Houses in relation to the amendments proposed by the Senate to a bill, which originated in the House of Representatives, entitled

An act to prohibit the sale of ardent spirits in Breathitt and Powell counties.

On motion,

Ordered, That the further consideration thereof be postponed to, and made the special order of the day for, Monday, the 25th inst., at 10 o'clock, A. M.

The Senate took up for consideration a bill, entitled

A bill to authorize courts to require certain sales and warning orders to be advertised in newspapers.

Sundry amendments were proposed to said bill.

Pending the consideration of which, Mr. Frazer moved to lay said bill and pending amendments on the table.

Which motion was adopted.

The Senate took up for consideration a bill, entitled

A bill concerning divorces.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That any *bona fide* citizen of this State, who, having actually resided continuously therein one year, has been or may be temporarily absent therefrom when any act has been or may be done in or out of this State, which, if done in this State, would entitle a resident thereof to a divorce, shall have the same right to a divorce and to property and allowances, and upon the same character of proof, as if the said act had been done in this State, and such citizen had actually resided therein one year next before commencing his or her suit for a divorce; and such suit shall be brought in the county in which such citizen may have last actually resided.

Mr. Darby then proposed to amend said bill by adding the following as an additional section, viz:

That hereafter no divorce shall be granted on ground of abandonment, and living separate and apart without cohabitation, for a less time than two years. That so much of the second subdivision one, of article three, chapter forty seven, of the Revised Statutes, as is inconsistent with this act, be, and the same is hereby, repealed.

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Haggard and Frazer, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	Edwin Hawes,	Alfred T. Pope,
F. W. Darby,	G. A. C. Holt,	A. G. Talbott,
J. H. Dorman,	John W. Johnson,	W. L. Vories,
D. R. Haggard,	A. L. McAfee,	Emery Whitaker—13.
H. S. Hale,		

Those who voted in the negative, were—

R. A. Burton,	W. McKee Fox,	Jesse C. Gilbert,
James F. Clay,	W. W. Frazer,	A. L. Martin,
John E. Cooper,	John J. Gatewood,	O. D. McManama—9.

The question was then taken on ordering said bill to be read a third time, and it was decided in the negative.

So said bill was rejected.

Mr. Darby then moved to reconsider the vote by which said bill was rejected.

Which motion was simply entered.

The Senate, according to order, took up for consideration a bill, entitled

A bill for the benefit of the Kentucky River Navigation Company.

Mr. Cooper moved that the further consideration of said bill be postponed to, and made the special order of the day for, Tuesday, the 26th inst., at 10 o'clock.

Which motion was adopted.

The Senate took up for consideration a bill, which originated in the House of Representatives, entitled

An act to pay military claims reported by the Quarter-Master General.

Mr. Haggard moved that the further consideration of said bill be postponed to, and made the special order of the day for, Monday next, the 25th inst., at 11 o'clock, A. M.

Which motion was adopted.

The Senate took up for consideration a bill, entitled

A bill to empower the counties of Franklin, Cumberland, and Boyle to suppress disorder and enforce the laws.

The question was then taken on the motion heretofore made to reconsider the vote by which the Senate had passed said bill, and it was decided in the affirmative.

The vote dispensing with the third reading of said bill, as also that ordering it to be read a third time, were also reconsidered.

Mr. Haggard then moved an amendment as a substitute for said bill.

Pending the consideration of said amendment, Mr. Fox moved that the further consideration of said bill and pending amendment be postponed to, and made the special order of the day for, Tuesday next, the 26th inst.

Which motion was adopted.

The Senate took up for consideration a bill, which originated in the Senate, entitled

A bill to regulate the sale of real estate held by joint tenants, tenants in common, or coparceners.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The Senate took up for consideration the resolution heretofore proposed by Mr. Standeford, entitled

Resolution to abolish rule eighty-one.

Mr. Pope moved that the further consideration thereof be postponed to, and made the special order of the day for, Tuesday next, the 26th inst.

Which motion was adopted.

On motion of Mr. Burton, a message was sent to the House of Representatives, asking leave to withdraw the announcement of their disagreement to a bill, which originated in the House of Representatives, entitled

An act to incorporate the St. Augustine Cemetery, near Lebanon, Marion county.

After a short time, said bill was handed in at the Clerk's desk.

Mr. Burton moved to reconsider the vote by which the Senate had disagreed to the passage of said bill.

Which motion was simply entered.

A message was received from the House of Representatives, announcing that they had passed a bill, which originated in the Senate, of the following title, viz:

An act to extend the corporation limits of the city of Newport.

The Senate took up for consideration the motion heretofore made to reconsider the vote by which the Senate had concurred in the amendment proposed by the House of Representatives to a bill, which originated in the Senate, entitled

An act to amend the charter of the Louisville, Cincinnati, and Lexington Railroad.

On motion,

Ordered, That the further consideration thereof be postponed to, and made the special order of the day for, Tuesday next, the 26th inst.

Mr. Haggard, from the Committee on Propositions and Grievances, to whom had been referred sundry petitions, remonstrances, and leaves, asked to be discharged from the further consideration of the same.

Which was granted.

Mr. Clay, from the Committee on Railroads, reported a bill, entitled

A bill to amend an act, entitled "An act to incorporate the Bowling Green and Madisonville Railroad Company," approved March 22d, 1871.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid,

On motion of Mr. Pope, a message was sent to the House of Representatives, asking leave to withdraw the announcement of their disagreement to the passage of a bill, which originated in the House of Representatives, entitled

An act to incorporate the Transylvania Printing and Publishing Company, of Lexington, Kentucky.

After a short time, said bill was handed in at the Clerk's desk.

Mr. Pope then moved to reconsider the vote by which the Senate had disagreed to the passage of said bill.

Which motion was simply entered.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Darby, from the Committee on Courts of Justice—

An act to exempt A. P. Boyes and others from working on any dirt roads in Harrison county.

By Mr. Hale, from the Committee on Finance—

An act to amend an act approved March 2d, 1872, entitled "An act to amend chapter 50, Revised Statutes, entitled 'Inclosures and Certain Trespasses.'"

By Mr. Burton, from the Committee on Finance—

An act for the benefit of B. F. Mullikin, of Robertson county.

By Mr. Clay, from the Committee on the Judiciary—

An act for the benefit of H. C. Thompson and W. T. Champion, of Livingston county.

By Mr. Hale, from the Committee on Finance—

An act for the benefit of John S. Mattingly, sheriff of Meade county.

By Mr. Clay, from the Committee on the Judiciary—

An act to reduce into one, amend, and digest, the act and amendatory acts incorporating the town of North Middletown, in Bourbon county.

By Mr. Pope, from the Committee on Banks and Insurance—

An act amending an act incorporating the Paducah Savings Bank.

With amendments to the last three named bills.

Which were adopted.

Ordered, That said bills, the last three named as amended, be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, the last three as amended, and that the titles thereof be as aforesaid.

The following bills were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Holt, from the Committee on Courts of Justice—

A bill to extend the corporation limits of the city of Newport.

By Mr. John W. Johnson, from the Committee on Religion and Morals—

A bill to prohibit the sale of spirituous, vinous, or malt liquors within one mile of Salem Church, in Cumberland county.

By Mr. Gatewood, from the Committee on Education—

A bill for the benefit of school district No. 60, in Scott county.

By same—

A bill for the benefit of common school districts in Barren county.

By Mr. Pope, from the Committee on the Judiciary—

A bill to amend section 96 of the charter of the city of Louisville.

By Mr. Holt, from the Committee on Military Affairs—

A bill to grant pensions.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, the last was ordered to be printed, and placed in the orders of the day, and all the rest were ordered to be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Gilbert moved the following resolution, viz:

Resolved, That a committee of three be appointed to inform the House of Representatives that the Senate will be ready to adjourn on Tuesday next, the 26th instant.

Pending the consideration of which, Mr. Burton moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Gilbert and Holt, were as follows, viz:

Those who voted in the affirmative, were—

R. A. Burton,	W. McKee Fox,	John W. Johnson,
James F. Clay,	W. W. Frazer,	Alfred T. Pope,
G. W. Connor,	John J. Gatewood,	K. F. Prichard,
John E. Cooper,	H. S. Hale,	A. G. Talbott,
F. W. Darby,	Edwin Hawes,	W. L. Vories,
William P. Duvall,	G. A. C. Holt,	Emery Whitaker—18.

Those who voted in the negative, were—

John S. Barlow,	D. R. Haggard,	A. L. McAfee—5.
Jesse C. Gilbert,	J. B. Haydon,	

And then the Senate adjourned.

MONDAY, MARCH 25, 1872.

In the absence of the regular Speaker, Hon. Wm. Johnson was elected Speaker *pro tempore*, and took the Chair.

A message was received from the House of Representatives, announcing that they had concurred in the amendments proposed by the Senate to bills, which originated in the House of Representatives, of the following titles, viz:

An act to charter the Deposit Bank of Mt. Sterling.

An act amending an act incorporating the Paducah Savings Bank.

An act for the benefit of Maggie G. Roberts, of Montgomery county.

An act for the benefit of A. S. Arnold, late sheriff of Hickman county.

An act to amend an act, entitled "An act to authorize the trustees of the Cincinnati Southern Railway to acquire the right of way, and to extend a line of railway through certain counties in this Commonwealth," approved February 13, 1872.

An act to incorporate the Evansville and Jackson Railroad Company.

That they had concurred in a resolution, which originated in the Senate, entitled

Resolution in relation to the adjournment of the present sessionof the General Assembly.

That they had passed bills, which originated in the Senate, of the following titles, viz:

An act to amend section 7, chapter 105, of the Revised Statutes, in relation to weights and measures.

An act to amend section two of an act, entitled "An act to authorize McKee Lodge, No. 35, I. O. O. F., at Versailles, to issue bonds."

An act for the benefit of Joseph F. Perrie, of Mason county.

An act to amend the charter of Leesburg.

An act for the benefit of Wilson Morgan, sheriff of Clay county.

An act for the benefit of common school district No. 50, in Mason county.

An act to incorporate the Central Kentucky Medical Association.

An act for the benefit of Thos. D. Grundy, sheriff of McCracken county.

An act to amend an act, entitled "An act to incorporate the Bowling Green and Madisonville Railroad Company," approved March 22d, 1871.

That they had passed bills and adopted a resolution of the following titles, viz:

1. An act to amend section 3, of chapter 102, of the Revised Statutes, title "Treasury Warrant Claims."

2. An act for the benefit of H. Hill, of Barren county.

3. An act for the benefit of schools in New Castle, Henry county.

4. An act for the benefit of Trimble county.

5. An act to incorporate the South and West Banking Company.

6. An act to prevent deer-driving in the counties of Estill, Jackson, Perry, Harlan, Butler, Grayson, and Edmonson.

7. An act for the benefit of J. W. Ferguson, late sheriff of Calloway county.

8. An act for the appropriation of money.

9. An act for the benefit of Maria Breckinridge, of Henderson county.

10. An act to incorporate the Louisville Collegiate Institute.

11. An act to amend chapter 28 of the Revised Statutes, entitled "Crimes and Punishments."

12. An act prescribing additional duties for the assessors.

13. Resolution amendatory of a resolution on the death of Hon. Charles S. Morehead, approved February 18, 1869.

14. An act to change the boundary line between the counties of Knox and Josh Bell.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 3d to the Committee on Education; the 5th to the Committee on Banks and Insurance; the 11th to the Committee on Revised Statutes; the 4th, 6th, 8th, 12th, and 13th were placed in the orders of the day, and the 1st, 2d, 7th, 9th, 10th, and 14th were ordered to be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The Senate took up for consideration a bill, which originated in the House of Representatives, entitled

An act for the benefit of Trimble county.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts be, and he is hereby, directed to issue his warrant on the Treasury for the sum of $175, to be paid out of any money not otherwise appropriated, for the benefit of the county of Trimble, for keeping Thomas Jenkins, a pauper lunatic, from the 18th day of April, 1871, to the 10th day of February, 1872, in the poor-house of said county.

§ 2. That the sheriff of said county be authorized to draw said money, and the same to be accounted for as the county levy is now accounted for.

§ 3. This act to take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	John J. Gatewood,	A. L. Martin,
R. A. Burton,	Jesse C. Gilbert,	A. L. McAfee,
James F. Clay,	D. R. Haggard,	Alfred T. Pope,
G. W. Connor,	H. S. Hale,	E. D. Standeford,
John E Cooper,	Edwin Hawes,	W. L. Vories,
F. W. Darby,	G. A. C. Holt,	Ben. J. Webb,
J. H. Dorman,	John W. Johnson,	Emery Whitaker—23.
W. W. Frazer,	William Johnson,	

In the negative—none.

Resolved, That the title of said bill be as aforesaid.

The Senate took up for consideration a bill, which originated in the House of Representatives, entitled

An act to prevent deer driving in the counties of Estill, Jackson, Perry, Harlan, Butler, Grayson, and Edmonson.

Mr. Gatewood moved to postpone the further consideration of said bill until to-morrow, at nine o'clock, A. M.

Which motion was rejected.

Mr. Standeford then moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The question was then taken on ordering said bill to be read a third time, and it was decided in the affirmative.

Said bill was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That it shall be unlawful for any person or persons to engage in any deer-drive, hunt, or chase, with a dog or dogs, in the counties of Estill, Jackson, Perry, Harlan, Butler, Grayson, and Edmonson; and any person violating the provisions of this act may be fined in any court having competent jurisdiction in a sum not less than twenty dollars nor more than fifty dollars.

§ 2. That any person or persons who shall first have obtained the consent of the owner or owners of any lands over which they may drive, hunt, or chase deer, are hereby exempted from the provisions of this act.

§ 3. That all fines recovered under the provisions of this act shall be paid into the State Treasury.

§ 4. That this act shall take effect and be in force from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Gatewood and Haggard, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	H. S. Hale,	A. L. McAfee,
R. A. Burton,	Edwin Hawes,	Alfred T. Pope,
James F. Clay,	J. B. Haydon,	K. F. Prichard,
F. W. Darby,	G. A. C. Holt,	E. D. Standeford,
John J. Gatewood,	John W. Johnson,	W. L. Vories,
Jesse C. Gilbert,	William Johnson,	Ben. J. Webb,
D. R. Haggard,	A. L. Martin,	Emery Whitaker—21.

In the negative—none.

Resolved, That the title of said bill be as aforesaid.

The Senate took up for consideration a bill, which originated in the House of Representatives, entitled

An act for the appropriation of money.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the following sums of money are hereby appropriated to the following persons, to be paid by the Treasurer, out of any money in the Treasury not otherwise appropriated, upon the warrant of the Auditor.

§ 2. To the Speakers of the Senate and House of Representatives, ten dollars each, per day, during the present session.

§ 3. To the principal Clerks of the Senate and House of Representatives, ten dollars, each, per day, during the present session, and the same for such time as may be necessary, not exceeding ten days after the adjournment, for preparing the acts for publication

§ 4. To the Assistant Clerks of the Senate and House of Representatives, ten dollars, each, per day, during the present session; and

to Isaac Wingate, six dollars per day for the time he has assisted the Clerk of the Senate during the present session, to be certified by the Senate.

§ 5. To the Sergeant-at-Arms of the Senate and House of Representatives, each, eight dollars per day, during the present session.

§ 6. To the Door-keepers of the Senate and House of Representatives, each, eight dollars per day, during the present session.

§ 7. To R. G. Burton and William Marshall, Clerks of the Enrolling Committees of the Senate and House of Representatives, eight dollars, each, per day, during the present session.

§ 8. To the Pages of the Senate and House of Representatives, three dollars per day during the present session, each.

§ 9. To the Ministers of the Gospel of Frankfort, three hundred dollars, to be distributed among them by R. A. Thomson, Sergeant-at-Arms of the House of Representatives.

§ 10. To D. D. Sublett, Sergeant-at-Arms of the Senate, for the benefit of Lewis Harris and George Gessoman, each, three dollars per day, during the present session for making fires, waiting on the Senate Chamber and cloak-room during the present session.

§ 11. To the Sergeant-at-Arms of the House of Representatives, three dollars per day, during the present session, for services of Robert Duvall, for Page in attendance on the cloak-room.

§ 12. To the Sergeant-at-Arms of the House of Representatives, three dollars per day, during the present session, for the use of John Walsh and Daniel Morton, each, for attending Hall House of Representatives.

§ 13. To the Sergeant-at-Arms of the House of Representatives, three dollars per pay, during the present session, for the use of John Maloy, for wheeling wood.

§ 14. To George B. Crittenden, for the use of John H. Morton, one dollar per day, during the present session.

§ 15. To George B. Crittenden, two dollars per day, during the present session, for the use of James Coleman, for attending the "back capitol."

§ 16. To J. G. Hatchitt, for postage on papers, thirty-five dollars and fifty-five cents.

§ 17. To G. W. Miller, for work done on stoves and pipes, for Senate and House of Representatives, sixteen dollars.

§ 18. To John L. Moore, for articles furnished House of Representatives, forty-one dollars and eighty-two cents.

§ 19. To Gray, Rodman & Gray, for articles furnished General Assembly, during present session, fifty-six dollars and fifty-five cents.

§ 20. To S. C. Bull, for articles furnished General Assembly, during present session, thirty-three dollars and ten cents.

§ 21. To J. W. South, for chairs furnished Senate and House of Representatives, present session, forty-three dollars.

§ 22. To L. B. Marshall, for articles furnished General Assembly, forty-five dollars and ten cents.

§ 23. To Rodman & Bro., for articles furnished the General Assembly, during the present session, one hundred and thirteen dollars and three cents.

§ 24. To A. B. Reed, for repairs done for the Senate and House of Representatives, during present session, five hundred dollars.

§ 25. To Nancy Morton, for making mail-bags and washing towels for House, ten dollars.

§ 26. To Chas. W. Vogler, for repairs in House of Representatives, during present session of General Assembly, fifty dollars.

§ 27. To Lewis Harris, for washing towels for Senate, five dollars.

§ 28. To Bell Combs, for making mail-bags for Senate, two dollars.

§ 29. To Jas. W. Roberts, Barney M. Heywood, and J. R. Scott, for expenses and per diem while attending investigating committee of Senate, each, eight dollars.

§ 30. To A. T. Pope, for expenses joint committee Senate and House of Representatives visit to Lexington College, forty-one dollars and twenty-five cents.

§ 31. To D. D. Sublett, for expenses in summoning witnesses, five dollars.

§ 32. To the Courier-Journal Company, for furnishing General Assembly —— copies of Courier-Journal at present session, four hundred and forty six dollars and forty cents.

§ 33. To W. H. Stanley, for newspapers furnished General Assembly at the present session, seven hundred and seventy-five dollars.

§ 34. To the Lexington Daily Press, for thirty-three copies of said paper, furnished General Assembly, during the present session, forty-seven dollars.

§ 35. To Major & Johnston, for Yeoman furnished General Assembly the present session, five hundred and fifty dollars.

§ 36. To the Louisville Ledger Company, for papers furnished Senate at present session, one hundred dollars.

§ 37. To publishers Maysville Bulletin, for newspapers furnished this session, four dollars and fifty cents.

§ 38. To Graham Hughes, three dollars per day during the present session, for enrolling bills, in addition to the sum paid him by Clerk for such services.

§ 39. To Thomas S. Pettit, ten dollars, for Owensboro Monitor, furnished present General Assembly.

§ 40. To Sanford Goin, for ice furnished General Assembly, during present session, fifty-six dollars.

§ 41. To J. A. Dawson, for services as commissioner to settle claims of Newton Craig against the Commonwealth, under an act of the General Assembly, one hundred and fifty dollars.

§ 42. To the Clerks of the Senate and House of Representatives, each, such sum as they may respectively certify to the Auditor as paid by them for enrolling bills and resolutions, during the present session.

§ 43. To S. R. Smith, for —— copies of the Commonwealth, furnished the present session, eleven dollars.

§ 44. To W. R. Watson, janitor of Library, three dollars per day, during the present session of the General Assembly, for his services as such.

§ 45. Meek & Bro., nine dollars for Big Sandy Herald, furnished members

§ 46. This act shall take effect from its passage.

Mr. Prichard then moved to amend the fourth section of said bill as follows, viz:

Provided, That the amount hereby allowed said Wingate shall be deducted from the allowance made to J. R. Hawins, Clerk of the Senate.

And the question being taken on the adoption of said amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Dorman and Prichard, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	J. H. Dorman,	K. F. Prichard—5.
John E. Cooper,	Edwin Hawes,	

Those who voted in the negative, were—

R. A. Burton,	H. S. Hale,	A. L. McAfee,
James F. Clay,	J. B. Haydon,	Alfred T. Pope,
G. W. Connor,	G. A. C. Holt,	E. D. Standeford,
F. W. Darby,	John W. Johnson,	W. L. Vories,
John J. Gatewood,	Wm. Johnson,	Ben. J. Webb,
Jesse C. Gilbert,	A. L. Martin,	Emery Whitaker—19.
D. R. Haggard,		

Mr. Martin then moved to amend said bill by adding the following as an additional section, viz:

To the Speakers *pro tempore* of each House five dollars per day in addition to their per diem during the time they acted as such, the time to be certified by the Clerks of their respective Houses.

Which was adopted.

Mr. Prichard then moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The question was then taken on ordering said bill to be read a third time, and it was decided in the affirmative.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	Jesse C. Gilbert,	A. L. McAfee,
R. A. Burton,	D. R. Haggard,	Alfred T. Pope,

James F. Clay,	H. S. Hale,	K. F. Prichard,
G. W. Connor,	Edwin Hawes,	E. D. Standeford,
John E. Cooper,	G. A. C. Holt,	W. L. Vories,
F. W. Darby,	John W. Johnson,	Ben. J. Webb,
J. H. Dorman,	William Johnson,	Emery Whitaker—23.
John J. Gatewood,	A. L. Martin,	

In the negative, J. B. Haydon—1.

Resolved, That the title of said bill be as aforesaid.

The Senate took up for consideration a resolution, which originated in the House of Representatives, entitled

Resolution amendatory of a resolution on the death of Charles S. Morehead, approved February 18th, 1869.

Said resolution reads as follows, viz:

WHEREAS, A resolution was adopted by this General Assembly, approved February 18th, 1869, directing the Governor to cause an appropriate monument to be erected over the remains of Charles S. Morehead, formerly Governor of Kentucky, in the cemetery near Frankfort; and whereas, by some oversight or mistake the yeas and nays were not called on the passage of said resolution, as required by the Constitution, and in consequence of which the Governor did not have said monument erected; therefore, be it

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Governor of Kentucky be authorized and directed to cause a suitable and appropriate monument to be erected over the remains of Charles S. Morehead, formerly Governor of Kentucky, in the cemetery near Frankfort; and that it shall be the duly of the Auditor of Public Accounts to draw his warrant on the Treasurer for the amount of the cost of said monument when it shall be completed, and the Governor shall certify to him the cost of the same.

Mr. Vories then moved to amend said resolution by adding the following, viz:

Provided, The cost of said monument shall not exceed twelve hundred dollars.

Which was adopted.

The question was then taken on concurring in said resolution, as amended, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	Jesse C. Gilbert,	A. L. McAfee,
R. A. Burton,	D. R. Haggard,	Alfred T. Pope,
James F. Clay,	H. S. Hale,	K. F. Prichard,
G. W. Connor,	J. B. Haydon,	E. D. Standeford,
John E. Cooper,	John W. Johnson,	W. L. Vories,
F. W. Darby,	William Johnson,	Ben. J. Webb,

J. H. Dorman, A. L. Martin, Emery Whitaker—22.
John J. Gatewood,

In the negative, Edwin Hawes—1.

Resolved, That the title of said resolution be as aforesaid.

The Senate took up for consideration a bill, which originated in the House of Representatives, entitled

An act prescribing additional duties for the assessors.

Mr. Standeford moved an amendment to said bill.

Pending the consideration of which amendment, Mr. Prichard moved to lay said bill and pending amendment on the table.

Which motion was adopted.

So said bill was disagreed to.

Mr. Barlow, from the Committee on Claims, to whom was referred a bill, which originated in the House of Representatives, entitled

An act to reimburse the county court of Fleming county for expenses incurred for the keeping and support of certain lunatics of said county.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

WHEREAS, Eliza Pitts and Betsie Lowrie (of color), and Sarah Tinsley, Patrick Krines, sr., and Patrick Krines, jr., white persons, all of the county of Fleming, have been, by proper proceeding regularly had, found to be lunatics; and by the inquest held upon said persons it was further found, that said persons had no estate, real, personal, or mixed, in possession, remainder, or reversion, and none of said persons so found to be lunatics had relatives or friends competent and willing to take care of and support them; and whereas, application has been made for their admission into the Eastern Lunatic Asylum, at Lexington, and they have been refused admission, solely for want of room in said asylum; and the county court of Fleming county has incurred expenses in the taking care and support of said lunatics, and become responsible for the same, part of which has been paid, and part still remains due and unpaid; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts be, and he is hereby, directed to draw his warrant upon the Treasury for the sum of $278 37, in favor of the sheriff of Fleming county, and said sheriff is hereby authorized and directed to draw the same, and pay it out, from time to time, as directed and ordered by the county court of said county.

§ 2. Before the sheriff shall be authorized to receive said money, or any part thereof, he shall produce to the Auditor of Public Accounts an order of the Fleming county court, properly certified, that he has executed a bond, with security (which bond the said court is hereby authorized to take, and said sheriff to execute), faithfully to pay

over said moneys as required and ordered by the court; and that he is authorized to receive and receipt for the same.

§ 3. This act to take effect and be in force from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	John J. Gatewood,	A. L. Martin,
R. A. Burton,	D. R. Haggard,	A. L. McAfee,
James F. Clay,	H. S. Hale,	Alfred T. Pope,
G. W. Connor,	Edwin Hawes,	K. F. Prichard,
John E. Cooper,	J. B. Haydon,	E. D. Standeford,
F. W. Darby,	G. A. C. Holt,	W. L. Vories,
J. H. Dorman,	John W. Johnson,	Ben. J. Webb,
W. W. Frazer,	William Johnson,	Emery Whitaker—24.

In the negative—none.

Resolved, That the title of said bill be as aforesaid.

The Senate took up for consideration the disagreement between the two Houses in relation to the second amendment proposed by the Senate to a bill, which originated in the House of Representatives, entitled

An act to prohibit the sale of ardent spirits in Breathitt and Powell counties.

The question was then taken, "Will the Senate adhere to their second amendment?" and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Cooper and Martin, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	John J. Gatewood,	Wm. Johnson,
R. A. Burton,	D. R. Haggard,	A. L. McAfee,
James F. Clay,	H. S. Hale,	Alfred T. Pope,
G. W. Connor,	Edwin Hawes,	E. D. Standeford,
J. H. Dorman,	John W. Johnson,	Ben. J. Webb—15.

Those who voted in the negative, were—

John E. Cooper,	A. L. Martin,	W. L. Vories,
W. W. Frazer,	K. F. Prichard,	Emery Whitaker—7.
G. A. C. Holt,		

Mr. Holt moved to reconsider the vote by which a bill, which originated in the House of Representatives, entitled

An act to incorporate the Evansville and Jackson Railroad Company,

Was made the special order of the day for to-morrow.

And the question being taken thereon, it was decided in the affirmative.

Sundry amendments were proposed to said bill, all of which were adopted.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The Senate, according to order, took up for consideration a bill, which originated in the House of Representatives, entitled

An act to pay military claims reported by the Quarter-Master General.

Said bill reads as follows, viz:

[*For bill—see Session Acts present session.*]

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative were—

John S. Barlow,	Jesse C. Gilbert,	A. L. Martin,
R. A. Burton,	D. R. Haggard,	Alfred T. Pope,
James F. Clay,	H. S. Hale,	K. F. Prichard,
G. W. Connor,	Edwin Hawes,	E. D. Standeford,
John E. Cooper,	J. B. Haydon,	W. L. Vories,
W. McKee Fox,	G. A. C. Holt,	Ben. J. Webb,
W. W. Frazer,	John W. Johnson,	Emery Whitaker—23.
John J. Gatewood,	Wm. Johnson,	

In the negative—none.

Mr. Barlow, from the Committee on Claims, reported a bill, entitled

A bill to pay the expenses of D. R. Haggard, State agent sent to Missouri after Cutter and Taylor, charged with forgery.

Which bill was read the first time and ordered to be read a second time.

Said bill was read a second time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts be, and he is, directed to draw his warrant upon the Treasury for two hundred and eighty-three dollars, in favor of D. R. Haggard, for money expended by him

in the pursuit of Norman Cutter and John M. Taylor, of Missouri, charged with the crime of forgery.

§ 2. This act to take effect from its passage.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	John J. Gatewood,	A. L. McAfee,
R. A. Burton,	Jesse C. Gilbert,	Alfred T. Pope,
James F. Clay,	Edwin Hawes,	K. F. Prichard,
G. W. Connor,	J. B. Haydon,	E D. Standeford,
John E. Cooper,	John W. Johnson,	W. L. Vories,
F. W. Darby,	William Johnson,	Ben. J. Webb,
J. H. Dorman,	A. L. Martin,	Emery Whitaker—21.

In the negative—none.

Resolved, That the title of said bill be as aforesaid.

A message was received from the House of Representatives announcing that they had concurred in the amendment proposed by the Senate to a bill, which originated in the House of Representatives, entitled

An act for the appropriation of money.

That they had concurred in the amendment proposed by the Senate to a bill, which originated in the House of Representatives, entitled

An act to incorporate the New Castle and Gray Farm Turnpike Road Company.

With an amendment to said amendment, which was taken up and concurred in.

On motion of Mr. J. W. Johnson, a message was sent to the House of Representatives, asking leave to withdraw the announcement of their disagreement to bills, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the German Baptist Bethesda Society.

An act to incorporate the Saint Louis Cemetery, near Louisville.

An act to incorporate the Lancaster Benevolent Society.

An act to incorporate Independent Order of Odd Fellows, No. 83, Hickman, Fulton county.

After a short time, said bills were handed in at the Clerk's desk.

Mr. Gilbert, from a select committee, to whom had been referred a bill, which originated in the Senate, entitled

A bill to amend the election laws of this Commonwealth so as to provide for the registration of voters in towns and cities having a population of two thousand or more inhabitants,

Reported the same with sundry amendments.

Which were adopted.

Mr. Hawes then moved to lay said bill and pending amendments on the table.

Which motion was rejected.

Ordered, That said bill, as amended, be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Vories moved to reconsider the vote by which the Senate had passed a bill, which originated in the House of Representatives, entitled

An act to incorporate the Atlantic and Ohio River Railway Company.

Which motion was adopted.

The vote dispensing with the third reading of said bill, as also that ordering it to be read a third time, were also reconsidered.

Mr. Vories then moved an amendment to said bill.

Which was adopted.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. J. W. Johnson moved to reconsider the votes by which the Senate had disagreed to the passage of bills, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Independent Order of Odd Fellows, No. 83, Hickman, Fulton county.

An act to incorporate the Saint Louis Cemetery Company, near Louisville.

An act to incorporate the Lancaster Benevolent Society.

Which motion was adopted.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A message in writing was received from the Governor by Mr. Botts, Assistant Secretary of State.

Said message was taken up and read as follows, viz:

STATE OF KENTUCKY, EXECUTIVE DEPARTMENT,
FRANKFORT, March 26, 1872.

Gentlemen of the Senate:

I hereby nominate for your advice and consent the following persons as suitable to be commissioned as notaries public, viz:

Gideon C. Dudley, Caldwell county.
Joseph Barbour, Henry county.
Alexander L. Martin, Floyd county.
John L. Whitaker, Mason county.
Wilkins G. Anderson Jefferson county.

Respectfully,

P. H. LESLIE.

Resolved, That the Senate advise and consent to said nominations.

A message in writing was received from the Governor by Mr. Botts, Assistant Secretary of State.

Said message was taken up and read as follows, viz:

OFFICE COMMISSIONERS SINKING FUND,
FRANKFORT, March 25th, 1872.

HON. JOHN G. CARLISLE, *Speaker of the Senate:*

SIR: In response to a resolution adopted in the Senate on the 20th inst., calling on the Commissioners of the Sinking Fund for certain information in regard to the collection of the claim of the Commonwealth against the Federal Government for advances made during the war, &c., the following statement is submitted to the several interrogatories propounded, in the order in which they come:

1st. The amount of money collected from the Government of the United States since the 10th day of March, 1870, under the act of Congress providing for the indemnifying of the States for advances made during the war, is $354,599 59.

2d. The amount paid by the United States Government was collected and received by Quarter-Master General Fayette Hewitt.

3d. The amount paid into the Treasury of the Commonwealth, and placed to the credit of the Sinking Fund, from the collections made as stated above, was $314,783 86.

4th. The amount paid for services rendered in the collection of said money was $39,815 73; and was paid to the following persons, by General Hewitt, under the act approved March 22, 1871, entitled "An act to expedite the collection of the war claim of the State of Kentucky," and the act approved March 10th, 1870, entitled "An act concerning the State agency at Washington," to-wit:

Pike & Johnson	$7,470 80
R. C. Wintersmith	4,645 00
Lewis Dent	857 18
W. R. Drinkard	140 00
Pike & Johnson	5,828 40
Dent & Page	5,828 40
W. R. Drinkard	4,000 00
M. Wallingford	6,039 20
William Brown	5,000 00
Telegraph charges	6 75
	$39,815 73

5th. The present status or condition of our "war claim" against the Government of the United States is as follows: $525,258 72 was declared to be due the State of Kentucky by the several accounting officers of the Treasury Department, but which the Secretary of the Treasury, Mr. Boutwell, declined to pay, on the ground that, in his judgment, the act of Congress did not authorize the payment of claims of that character, although he believed the claim was equitable and just, and that Congress ought to provide for its payment. Upon that refusal we employed Hon. Geo. R. McKee to prosecute the collection of the claim, making his compensation conditional upon his succeeding in collecting said claim, and thereupon a proceeding, by mandamus, in the name of the State of Kentucky, was instituted in the Supreme Court, against the Secretary of the Treasury, to compel him to deliver the check upon the Treasury for the $525,258 72 aforesaid; and that proceeding is yet pending. (And we are advised there is a bill now pending before Congress for the payment of the entire claim of the State.) In addition to the foregoing amount, there is the further sum of $540,301 33 due this State for advances made during the war, which has not been adjusted in the Treasury Department of the United States. This unadjusted balance is being prepared by Quarter-Master General Hewitt for consideration by the proper officers in the Treasury Department, which we hope will be taken up and considered by them as soon as the necessary vouchers are completed and filed.

It may be proper to add, in conclusion, that no compensation has been allowed or paid General Hewitt for his services in prosecuting the Kentucky "war claim," except his salary as Quarter-Master General and his necessary expenses in going to and returning from Washington, and whilst in that city prosecuting said claim.

Respectfully submitted.

P. H. LESLIE,
Chairman Board Commissioners Sinking Fund.
D. HOWARD SMITH,
JAMES W. TATE,
JNO. RODMAN,
A. J. JAMES.

A message was also received from the Governor by Mr. Botts, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills and a resolution, which originated in the Senate, of the following titles, viz:

An act to extend the corporate limits of the city of Newport.

An act to incorporate the Bank of Commerce.

Resolution in relation to adjournment of the present General Assembly.

Mr. Whitaker, from the Committee on Courts of Justice, to whom had been referred the amendment proposed by the House of Representatives to a bill, which originated in the Senate, entitled

An act to regulate the time of holding the circuit courts in the 14th judicial district,

Reported the same, with the expression of opinion that said amendment should be concurred in.

And the question being taken thereon, it was decided in the affirmative.

A message was received from the House of Representatives, announcing that they had passed a bill, which originated in the Senate, of the following title, viz:

An act to incorporate the Princeton, Marion, and Ohio River Railroad Company.

With an amendment thereto, which was taken up and concurred in.

Mr. Clay, from the Committee on the Judiciary, to whom had been referred a bill, which originated in the House of Representatives, entitled

An act concerning official sales in Clark, Montgomery, Hickman, Bracken, Fulton, and Shelby counties,

Reported the same, with the expression of opinion that said bill ought not to pass.

And the question being taken on ordering said bill to be read a third time, the opinion of the committee to the contrary notwithstanding, it was decided in the negative.

So said bill was disagreed to.

The Senate took up for consideration a bill, which originated in the House of Representatives, entitled

An act for the benefit of H. S. Powell, of Jackson county.

The question was then taken on the motion heretofore made by Mr. Martin to reconsider the vote by which the Senate had disagreed to the passage of said bill, and it was decided in the affirmative.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Pope, from the Committee on the Judiciary—

An act to amend the charter of the city of Covington.

By same—

An act to amend the act incorporating the town of Quincy, in Lewis county, extending the limits of said town, and prohibiting the sale of spirituous, vinous, or malt liquors, and for other purposes.

By same—

An act to authorize Glasgow Lodge, No. 65, Independent Order of Odd Fellows, to issue bonds and buy a lot of land.

By same—

An act to amend the charter of the city of Ludlow.

By Mr. Standeford, from the Committee on Railroads—

An act to incorporate the Atlantic and Ohio River Railway Company.

By same—

An act to regulate the running of trains on the Louisville and Nashville Railroad, in the town of Elizabethtown.

By same—

An act to incorporate the Kentucky Southern Railroad Company.

By Mr. Webb, from the Committee on Agriculture and Manufactures—

An act to incorporate the Richmond Mining Company.

By same—

An act to incorporate the Kentucky Agricultural and Mechanical Society at Lexington.

By same—

An act to incorporate the Agricultural and Mechanical Association of Colored People, of Shelby county.

By same—

An act to incorporate the Transylvania Printing and Publishing Company, of Lexington, Kentucky.

By same—

An act to incorporate the Joint Stock Agricultural and Mechanical Association of Colored People, of Madison county.

By same—

An act to incorporate the Colored Agricultural and Mechanical Association of Woodford county.

By same—

An act to incorporate the Southwestern Kentucky Agricultural and Stock-raising Association.

By same—

An act to incorporate the Anderson, Franklin, and Salvisa Stock, Agricultural, and Mechanical Association.

By same—

An act to incorporate the Pendleton County Stock Association.

By same—

An act to incorporate the Elm Spring Agricultural and Mechanical Association, of Fleming, Mason, and Lewis counties.

By same—

An act to incorporate the St. Augustine Cemetery, near Lebanon, Marion county.

By same—

An act to incorporate Franklin Lodge, No. 28, F. A. M., in Boyle county.

By same—

An act to incorporate Needham Lodge, No. 174, in Caverna, Hart county, I. O. G. T.

By Mr. John W. Johnson, from the Committee on Religion and Morals—

An act to incorporate the Columbus Male and Female Academy, in Hickman county.

By same—

An act to incorporate the Christian Church of Russellville.

By same—

An act to incorporate the Church Aid Society.

By same—

An act to incorporate the Colored Methodist Episcopal Church in America.

By same—

An act to incorporate Mount Carmel Baptist Church, in Muhlenburg county.

By same—

An act to incorporate the First Presbyterian Church of Ludlow, Kenton county.

By Mr. Pope, from the Committee on the Judiciary—

An act to incorporate Jefferson Manufacturing and Mining Company.

By same—

An act to incorporate the Frankfort Building and Loan Association.

By Mr. Clay, from the Committee on Railroads—

An act to amend the charter of the Louisville, Memphis, and New Orleans Railway Company.

By same—

An act to amend the charter of the Eastern Kentucky Railway Company.

By same—

An act to incorporate the Cumberland River and Big Sandy Railroad Company.

By same—

An act for the benefit of the Poplar Mountain Coal Company.

By Mr. Standeford, from the Committee on Internal Improvement—

An act to amend an act, entitled "An act to incorporate the Shepherdsville and Belmont Furnace Turnpike Road Company," approved March 14th, 1871.

By same—

An act to amend the charter of the Elizaville and Fairview Turnpike Road, in Fleming county.

By same—

An act to amend an act, entitled "An act to amend an act, entitled 'An act to charter the Cabin Creek, Sand Hill, and Manchester Turnpike Road Company,'" approved March 15th, 1871.

By same—

An act for the benefit of the Hillsboro and Wyoming Turnpike Road Company, in Fleming county.

By same—

An act to amend an act chartering the Muldrow's Hill, Campbellsville, and Columbia Turnpike Road Company.

By Mr. Cooper, from the Committee on Revised Statutes and Codes of Practice—

An act to charter Brother's Lodge, No. 132, of the Independent Order of Odd Fellows, in the city of Owensboro.

By same—

An act to incorporate J. M. S. McCorkle Lodge, No. 355, of A. Y. F. M.

By Mr. Clay, from the Committee on the Judiciary—

An act to amend an act, entitled "An act to incorporate the town of Hinklesville, in Ballard county," approved March 6, 1868.

By same—

An act to incorporate the town of Cairo, in Henderson county.

By Mr. Whitaker, from the Committee on Banks and Insurance—

An act to incorporate the Bank of Webster.

By Mr. Wm. Johnson, from the Committee on the Judiciary—

An act to amend and reduce into one the several acts concerning the town of Madisonville.

By Mr. Gilbert, from the Committee on Courts of Justice—

An act for the benefit of the clerks of the county courts of Lewis, Clark, and Montgomery counties.

With amendments to the last three named bills.

Which were adopted.

Ordered, That said bills, the last three named as amended, be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, the last three as amended, and that the titles thereof be as aforesaid, except the last, which is amended to read,

An act for the benefit of the county clerks of Lewis, Clark, Montgomery, Mason, Nelson, Cumberland, Adair, Clinton, Russell, Todd, Logan, and Simpson counties.

Mr. Pope, from the Committee on the Judiciary, to whom had been referred a bill, which originated in the House of Representatives, entitled

An act for the consolidation and incorporation of the towns of Milton and Kingston, in Trimble county,

Reported the same with an amendment.

Which was adopted.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be amended to read,

An act to amend the charter of the town of Kingston, in Trimble county.

The following bills were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. John W. Johnson, from the Committee on Religion and Morals—

A bill to incorporate the Christian Church Widows' and Orphans' Home.

By Mr. Standeford, from the Committee on Railroads—

A bill to amend the charter of the Great Western Mining and Manufacturing Company.

By same—

A bill to amend an act to incorporate the Contracting and Building Company, for the purpose of building, and aiding in building, railroads, bridges, and telegraph lines," approved March 4th, 1872.

By Mr. Standeford, from the Committee on Internal Improvement—

A bill for the benefit of the Citizens' Passenger Railway Company, of Louisville.

By Mr. John W. Johnson, from the Committee on Religion and Morals—

A bill to repeal an act, entitled "An act prohibiting the vending or sale of spirituous, vinous, or malt liquors within two miles of any of

the furnaces owned by the Red River Iron Manufacturing Company, in Estill county," approved March 17th, 1870.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, the last was placed in the orders of the day, and the rest were ordered to be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Cooper, from the Committee on Enrollments, reported that the committee had examined enrolled bills and a resolution, which originated in the Senate, of the following titles, viz:

An act for the benefit of John Moore, jailer of Green county;

An act to authorize the reduction of Lock street from High street to the line of the Louisville and Portland Canal;

An act to authorize the Ohio and Mississippi Railway Company to take, hold, and convey real estate in the State of Kentucky;

An act to extend the corporate limits of the city of Newport;

An act to incorporate the Exchange Bank and Tobacco Warehouse Company;

An act for the benefit of A. E. Camp, jailer of Jefferson county;

An act to amend the charter of the city of Lexington;

An act for the benefit of the Deaf and Dumb Asylum at Danville;

An act to amend section 1, article 21, chapter 28, of the Revised Statutes;

An act to regulate the time of holding the circuit courts in the 14th judicial district;

An act for the benefit of Alderson T. Keene, sheriff of Cumberland county;

Resolution in relation to the adjournment of the present General Assembly;

And enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend the charter of the Union and Richwood Turnpike Road Company;

An act for the benefit of Stephen T. Blair and Samuel Blair, of Letcher county;

An act to establish a system of common schools in the town of Corydon, Henderson county;

An act for the benefit of James Turner, late sheriff of Perry county;

An act to incorporate the Tygart Valley Iron Company;

An act to incorporate the town of Paintsville;

An act to incorporate the Leestown Turnpike Road Company;

An act for the benefit of the New Liberty and Owenton Turnpike Road Company;

An act to incorporate the Broadway Baptist Church, of Louisville;

An act to amend an act, entitled "An act to amend the charter of the Blue Lick Turnpike Road Company," approved February 22d, 1871;

An act to incorporate the White Stone Quarry Company;

An act to incorporate the Louisville Iron and Steel Rail Manufacturing Company;

An act to incorporate the Frankfort Commonwealth Printing Company;

An act to authorize the city of Hopkinsville and county of Christian to sell and transfer their stock in the Evansville, Henderson, and Nashville Railroad Company;

An act to amend the charter of the town of Curdsville, in Daviess county;

An act to amend and reduce into one the several acts incorporating the town of Milburn, in Ballard county;

An act to amend the charter of the Paducah Gas-light Company;

An act to incorporate the Owingsville Cemetery Company;

An act to incorporate the Cross Roads and Cornishville Turnpike Road Company;

An act to amend chapter No. 315, of acts 1869–'70, entitled "An act to incorporate the Rio Bridge Company;"

An act to incorporate the Silas and Townsend Turnpike Company;

An act to incorporate the Liberty and Green River Turnpike Road Company, in Casey county;

An act to incorporate the Fry's Creek Turnpike Road Company in Lincoln and Casey counties;

An act for the benefit of the Sulphur Well Branch of the Nicholasville and Kentucky River Turnpike Road Company;

An act to incorporate the Paducah and Hinkleville Gravel Road Company;

An act to amend the charter of the Cloverport and Hardinsburg Turnpike Road Company, in Breckinridge county;

An act to incorporate the Paducah and Mayfield Gravel Road Company;

An act to amend the charter of the Fisherville and Buck Creek Turnpike Road Company;

An act to amend an act to incorporate the Shelbyville and Burk's Branch Turnpike Road Company;

An act to amend the charter of the Flat Rock and Floyd's Fork Turnpike Road Company;

An act to amend the charter of the Fox Run and Lagrange Turnpike Road Company, in Shelby county;

An act to amend the charter of the Simpsonville and Buck Creek Turnpike Road Company, in Shelby county;

An act for the benefit of the Orangeburg and Tollsboro Turnpike Road Company, in Mason county;

An act for the benefit of the Germantown and North Fork Turnpike Road Company, in Mason county;

An act to regulate the rates of toll on the Germantown and Bridgeville Turnpike Road;

An act to incorporate the town of Glenville, in Adair county;

An act to incorporate the Big Sandy Highway Bridge Company;

An act to amend the Eminence and Sulphur Station Turnpike Road Company;

An act to incorporate the Pendleton Station and Wolf Run Turnpike Road Company;

An act to provide for the construction and completion of turnpike roads in Harrison county;

An act to incorporate the Owensboro and Indiana Bridge Company;

An act for the benefit of the Commercial Bank of Kentucky;

An act to amend the charter of the Clarksville and Princeton Railroad Company;

An act to incorporate the Bank of Trenton, in Todd county;

An act to prohibit the sale of spirituous, vinous, or malt liquors in the precinct of Millersburg, Bourbon county;

An act for the benefit of Woodford county;

An act to amend the charter and laws of the town of Belleview, in Campbell county;

An act for the benefit of the Lagrange and Shelbyville Turnpike Road Company;

An act for the benefit of the estate and infant heirs of Harvey Usher, late of Ballard county;

An act to amend an act to authorize the Shelby county court to issue bonds for the benefit of turnpike roads;

An act for the benefit of Kenton county;

An act to amend the charter of the town of Eddyville, in Lyon county;

An act to extend the time for the payment of railroad taxes in Bourbon county;

An act for the benefit of the Louisville Industrial Exposition;

An act for the benefit of A. McCampbell, late sheriff of Jessamine county;

An act to legalize and render valid the actions of the Garrard county court;

An act to empower the overseer of the State road in Trigg county to make a change in said road;

An act to amend an act, entitled "An act to authorize the trustees of the Cincinnati Southern Railway to acquire the right of way, and to extend a line of railway through certain counties in this Commonwealth," approved February 13, 1872;

An act legalizing orders and proceedings of the Pulaski county court;

An act to exempt Pulaski and Clinton counties from the provisions and requirements of an act approved February 11th, 1867;

An act to amend an act, entitled "An act amending the public school laws in the city of Owensboro," passed and approved the present session of the Legislature;

And had found the same truly enrolled.

Said bills and resolution having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Cooper reported that the committee had performed that duty.

And then the Senate adjourned.

TUESDAY, MARCH 26, 1872.

A message was received from the House of Representatives, announcing that they had concurred in the amendments proposed by the Senate to a bill, which originated in the House of Representatives, of the following title, viz:

An act to amend an act to incorporate the Farmers' and Traders' Bank of Shelbyville.

That they had passed bills, which originated in the Senate, of the following titles, viz:

An act to provide for advertising certain judicial sales in Jefferson county.

An act to amend the 3d section of an act, entitled "An act authorizing the sale ef real estate and slaves in which there is a future contingent interest," approved August 23d, 1862.

An act to exempt the wages of laborers who are *bona fide* housekeepers of this Commonwealth from attachment and garnishee, not exceeding fifty dollars.

An act to incorporate the Alexander College of Burksville.

An act to amend the charter of the city of Henderson.

An act to incorporate the town of Brandenburg, in Meade county.

An act to amend an act, entitled "An act revising the charter of the city of Paducah," approved February 11, 1871.

An act to amend chapter 28 of the Revised Statutes, title "Crimes and Punishments."

An act to amend an act creating a criminal court for the counties of Bracken, Pendleton, Harrison, Campbell, and Kenton.

An act to regulate the time for holding the terms of the circuit courts in the 12th judicial district.

An act to amend the charter of the town of Midway.

An act to amend section 96 of the charter of the city of Louisville.

An act to amend the turnpike laws of Henry county.

An act to provide for the repairing of the Louisville and Nashville Turnpike Road.

An act for the benefit of the county judge of Henry county.

With an amendment to the last named bill, which was taken up and concurred in.

A message was also received from the House of Representatives, announcing that they had concurred in the amendment proposed by the Senate to a bill, which originated in the House of Representatives, entitled

An act to allow the citizens of Henry county to vote upon the question of the removal of the county seat from New Castle.

With an amendment to the amendment.

That they had concurred in the amendments proposed by the Senate to bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend the charter of Kingston, in Trimble county.

An act to regulate the sale of liquors in Marion county.

An act to provide for voting by ballot in the election of Representatives in Congress.

That they had passed bills of the following titles, viz:

1. An act to cause good school-houses to be erected in the First and Ninth Congressional Districts.

2. An act for the benefit of John P. McAndrew, of Lewis county.

3. An act for the benefit of the Elizaville and Elizaville Station Turnpike Road Company.

4. An act for the benefit of James W. Mullins, constable of Pendleton county.

5. An act for the benefit of R. H. Brumback, justice of the peace for Pendleton county.

6. An act to incorporate the Ohio Valley Contracting and Building Company, for the purpose of building, and aiding in building, railroads, bridges, and telegraph lines.

7. An act to charter the Young Men's Real Estate, Building, and Accumulating Association, of Louisville.

8. An act to close certain alleys in the town of Falmouth.

9. An act to amend an act, entitled "An act to amend chapter 84 of the Revised Statutes, title "Roads and Passways."

10. An act to amend an act, entitled "An act to incorporate the Eastern Kentucky Marble, Lithograph Stone, and Mining Company," approved March 21st, 1870.

11. An act to authorize a chancellor to order survey of land.

12. An act further to amend an act, entitled "An act to revise, digest, and compile the Statute Laws and Codes of Practice of Kentucky."

13. An act for the benefit of Norman Sebree, of Boone county.

14. An act to amend the charter of the Valley Turnpike and Gravel Road Company.

15. An act to amend section 834 of Civil Code.

16. An act for the benefit of W. S. Shepperd, of Pulaski county.

17. An act authorizing Alexander Combs to erect a mill-dam across the North Fork of the Kentucky river.

18. An act authorizing W. W. Combs to erect a mill-dam across the North Fork of the Kentucky river.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, the 1st, 4th, and 5th, were placed in the orders of the day; the 2d and 16th were referred to the Committee on Claims; the 3d and 14th to the Committee on Internal Improvement; the 6th to the Committee on Railroads; the 7th and 10th to the Committee on Agriculture and Manufactures; the 9th, 12th, and 15th to the Committee on Revised Statutes and Codes of Practice; the 11th to the Committee on the Judiciary; the 17th and 18th to the Committee on Propositions and Grievances; and the 8th and 13th were ordered to be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Gatewood, from the Committee on Revised Statutes and Codes of Practice, to whom had been referred a bill, which originated in the House of Representatives, entitled

An act further to amend an act, entitled "An act to revise, digest, and compile the Statute Laws and Codes of Practice of Kentucky,

Reported the same without amendment.

The question was then taken on ordering said bill to be read a third time, and it was decided in the negative.

So said bill was disagreed to.

A message was received from the House of Representatives, announcing that they had adopted a resolution, entitled

Resolution extending the present session of the General Assembly.

Said resolution reads as follows, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That so much of the resolution which provides for adjournment on

the 26th inst. is hereby rescinded, and that the General Assembly will adjourn on the 28th inst., at one o'clock, P. M.

Mr. Prichard moved to amend said resolution by striking out the "28th," and inserting in lieu thereof the "27th."

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Prichard and Barlow, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	Edwin Hawes,	A. L. Martin,
John E. Cooper,	J. B. Haydon,	K. F. Prichard,
Jesse C. Gilbert,	G. A. C. Holt,	A. G. Talbott—11.
H. S. Hale,	Wm. Johnson,	

Those who voted in the negative, were—

R. A. Burton,	F. W. Darby,	A. L. McAfee,
James B. Casey,	William P. Duvall,	E. D. Standeford,
J. Q. Chenoweth,	John J. Gatewood,	W. L. Vories,
James F. Clay,	D. R. Haggard,	Ben. J. Webb,
G. W. Connor,	John W. Johnson,	Thos. Wrightson—15.

The question was then taken on concurring in said resolution, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Prichard and Haggard, were as follows, viz:

Those who voted in the affirmative, were—

R. A. Burton,	John J. Gatewood,	E. D. Standeford,
James B. Casey,	D. R. Haggard,	A. G. Talbott,
J. Q. Chenoweth,	John W. Johnson,	W. L. Vories,
G. W. Connor,	Wm. Johnson,	Ben. J. Webb,
F. W. Darby,	A. L. McAfee,	Emery Whitaker,
William P. Duvall,	Alfred T. Pope,	Thos. Wrightson—18.

Those who voted in the negative, were—

John S. Barlow,	H. S. Hale,	G. A. C. Holt,
John E. Cooper,	Edwin Hawes,	A. L. Martin,
Jesse C. Gilbert,	J. B. Haydon,	K. F. Prichard—9.

Mr. Haggard then moved that a committee of eleven be appointed to inform the House of Representatives that the Senate had concurred in said resolution.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Gilbert and Haggard, were as follows, viz:

Those who voted in the affirmative, were—

James B. Casey,	Edwin Hawes,	A. L. McAfee,
J. Q. Chenoweth,	G. A. C. Holt,	K. F. Prichard,
John E. Cooper,	John W. Johnson,	A. G. Talbott,
William P. Duvall,	A. L. Martin,	W. L. Vories—13.
Jesse C. Gilbert,		

Those who voted in the negative, were—

John S. Barlow,	D. R. Haggard,	Alfred T. Pope,
R. A. Burton,	H. S. Hale,	E. D. Standeford,
G. W. Connor,	Wm. Johnson,	Emery Whitaker—10.
John J. Gatewood,		

Whereupon the Speaker appointed Messrs. Prichard, Casey, Chenoweth, Duvall, Gilbert, Hawes, J. W. Johnson, Talbott, Vories, and McAfee, said committee.

The Senate, according to order, took up for consideration the motion heretofore made to reconsider the vote by which the Senate had concurred in the amendment proposed by the House of Representatives to a bill which originated in the Senate, entitled

An act to amend the charter of the Louisville, Cincinnati, and Lexington Railroad Company.

The question was then taken on reconsidering the vote by which the Senate had concurred in said amendment, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Standeford and Prichard, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	J. B. Haydon,	A. G. Talbott,
G. W. Connor,	G. A. C. Holt,	W. L. Vories,
John E. Cooper,	A. L. Martin,	Emery Whitaker,
John J. Gatewood,	K. F. Prichard,	Thos. Wrightson—13.
D. R. Haggard,		

Those who voted in the negative, were—

R. A. Burton,	Jesse C Gilbert,	A. L. McAfee,
J. Q. Chenoweth,	Edwin Hawes,	Alfred T. Pope,
James F. Clay,	John W. Johnson,	E. D. Standeford,
F. W. Darby,	Wm. Johnson,	Ben. J. Webb—13.
William P. Duvall,		

A message in writing was received from the Governor by Mr. Botts, Assistant Secretary of State.

Said message was taken up and read as follows, viz:

STATE OF KENTUCKY, EXECUTIVE DEPARTMENT,
FRANKFORT, March 26, 1872.

Gentlemen of the Senate:

I hereby nominate for your advice and consent the following persons as suitable to be commissioned as notaries public, viz:

Thomas E. Ward, Graves county.
Jas. A Anderson, Garrard county.
Wm. H. Jacobs, Jefferson county.

Respectfully,

P. H. LESLIE.

Resolved, That the Senate advise and consent to said nominations.

A message was received from the Governor by Mr. Botts, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to regulate the time of holding the circuit courts in the 14th judicial district.

An act for the benefit of Alderson T. Keene, sheriff of Cumberland county.

An act to amend section 1, article 21, chapter 28, of the Revised Statutes.

An act to authorize the reduction of Lock street from High street to the line of the Louisville and Portland Canal.

An act for the benefit of A. E. Camp, jailer of Jefferson county.

An act for the benefit of the Deaf and Dumb Asylum at Danville.

A message was received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed an enrolled resolution, which originated in the House of Representatives, of the following title, viz:

Resolution in relation to adjournment of the General Assembly of the Commonwealth of Kentucky on the 28th inst., at 1 o'clock, P. M.

The Senate, according to order, took up for consideration a bill, entitled

A bill for the benefit of the Kentucky River Navigation Company.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That, to remove all doubts as to the legality of the organization and subsequent acts of said company, the same are hereby made, and declared to have been, legal, valid, and binding.

§ 2. That said company shall have the right, from time to time, indefinitely, to renew its lease from the State of the present locks

and dams upon the Kentucky river, at the expiration of any prior renewal, upon the basis of revaluation, as now provided by contract between the State and said company.

§ 3 That the 12th section of an act, entitled "An act directing the Commissioners of the Sinking Fund to lease the improvements of the Kentucky river," approved February 24th, 1869, be, and the same is hereby, repealed.

§ 4. That counties subscribing stock in said company may, the company assenting, pay for the same in their bonds, bearing such rates of interest, and payable, principal and interest, at such times and places, as may be agreed on between the subscribing county and the company.

§ 5. This act shall take effect from its passage.

Mr. Whitaker then moved to postpone the further consideration of said bill till the 15th of next January.

Mr. Burton then moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The question was then taken on the motion made by Mr. Whitaker, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. McAfee and Prichard, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	J. B. Haydon,	Alfred T. Pope,
G. W. Connor,	John W. Johnson,	K. F. Prichard,
John E. Cooper,	William Johnson,	A. G. Talbott,
H. S. Hale,	A. L. Martin,	Emery Whitaker—13.
Edwin Hawes,		

Those who voted in the negative, were—

R. A. Burton,	F. W. Darby,	A. L. McAfee,
J. Q. Chenoweth,	William P. Duvall,	E. D. Standeford,
James F. Clay,	D. R. Haggard,	Thos. Wrightson—9.

Mr. Hale then moved to reconsider the vote postponing the consideration of said bill.

Which motion was simply entered.

Mr. Chenoweth moved the following resolution, viz:

Resolved, That the Public Printer be, and is hereby, directed to forward to each member of the Senate, and the officers thereof, such sheets of the Journals of the Senate and House of Representatives as may not have been printed at the time of the present adjournment of the Legislature, together with a synopsis of the general acts, and the titles of the private acts, passed at this session, on which the postage is to be paid; 100 copies of said synopsis of the acts to be forwarded to each member of the Senate, and the officers thereof.

Which was twice read and adopted.

Mr. Standeford, from the Committee on Internal Improvement, reported a bill, entitled

A bill to incorporate the Tradewater River Improvement, Coal, Lumber, and Mining Company.

Which bill was read the first time and ordered to be read a second time.

Said bill was read a second time as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That Gen. Winslow, Jos. D Lockhart, John W. Dyer, Nick Casey, Jas. F. Clay, and their associates and successors, be, and they are hereby, created a body-corporate and politic, with perpetual succession, by the name and style of the Tradewater River Improvement, Coal, Lumber, and Mining Company, and by that name are hereby made capable, in law and equity, to sue and be sued, plead and be impleaded, in all courts of law and equity; to contract and be contracted with; to make, and have, and use a common seal, and to alter and change the same at pleasure; and said corporation shall have such powers and authority as herein granted to them, and be under such restrictions and liabilities as herein specified.

§ 2. The capital stock of said corporation shall not be less than the sum of two hundred thousand dollars, and may, at any time, be increased to any amount the stockholders may deem sufficient to carry out the business hereinafter specified, not to exceed ten millions of dollars; by a vote of a majority of the stockholders, the same shall be divided into shares of one hundred dollars each.

§ 3. The officers of said corporation shall consist of a board of directors, composed of not less than five nor more than seven natural persons, a secretary and treasurer, all of whom must be stockholders of the corporation. The directors shall be elected annually, on the third Monday in January, or as soon thereafter as practicable, in each year, by the stockholders of the company, each stockholder having a right to cast one vote for each share of stock he may own. The directors of the corporation shall elect one of their number president of their board, who shall also be the executive officer of the corporation, and shall also elect a secretary and treasurer. No person shall be eligible to hold two offices. The officers shall hold their offices for the term of one year, and until their successors are elected and qualified. The president, secretary, and treasurer may be removed at any time by a vote of a majority of the directors; and all officers of such corporation shall take an oath to support the Constitution of the United States and the Constitution of the Commonwealth of Kentucky, and to honestly and faithfully discharge the duties of their offices.

§ 4. Said corporation shall have and may exercise the following powers :

First. To purchase, own, and hold lands and interest therein, for the purpose of working mines, cutting the timber therefrom, and the cultivating of timber thereon, and for all other purposes, which

lands are held and used in accordance with the laws of this Commonwealth

Second. The right to construct upon the Tradewater river and its tributaries, from at or near the head of slack-water navigation to the various sources of said tributaries, and the adjoining lands, booms, locks and dams and bracket dams, and other improvements, for the transporting, harboring of, or marketing of logs, timber, lumber, coal or minerals, boats and vessels, and to improve the navigation thereof, and to create water-power for manufacturing purposes; and said corporation shall have power and authority to charge reasonable tolls to persons using or having the benefit of the improvements made by them.

Third. To cut, run, and manufacture timber and lumber, in all its shapes and forms, and minerals in their various forms, and to erect and operate all necessary machinery therefor.

Fourth. To construct and operate all necessary machinery for mining and manufacturing the products of mines, and also all machinery and means for the transportation of the products of mines and timber, either manufactured or unmanufactured

Fifth. To construct and build boats and vessels for the navigation of the streams named, and to run, use, and operate such boats and vessels, and to construct and use all necessary docks, marine railways and appurtenances, for building, loading, and unloading boats and vessels

Sixth. To transact and do all necessary business properly connected with the carrying on of the different branches of business herein specified.

Seventh. Said corporation shall have power, by writ of *ad quod damnum*, issued from the county or circuit court of the county in which the land lies, to condemn any lands or materials necessary for their use in constructing booms, locks or dams, upon said streams, or roads of any kind upon lands, and shall, before using such lands or materials, deposit in such court the amount of the damages assessed therefor.

Eighth. To make such by-laws necessary and proper for the transaction of their business, not inconsistent with the laws of this Commonwealth, which by-laws may be adopted by a majority of the board of directors.

Ninth Said corporation to have the power to sell, dispose of, and convey any of their real estate, personal property, or choses in action, and also all powers to borrow money, and secure any loans they make by mortgage upon the property.

§ 5. The incorporators named in the act, or a majority of them, may, at any time within one year hereafter, upon notice given by posting in three public places in Union county, for ten days previous thereto, open books for the subscription of stock at the office of the clerk of said Union county, and proceed with the organization of such company; and they shall file, in the office of the Union county court, a copy of the records of the proceedings of such organization, and the same shall be recorded in the records of said county court;

and such record, or a duly certified copy thereof, shall be evidence of such organization.

§ 6. The principal office of such corporation shall be in Caseyville, Union county, and all annual elections shall take place at such office; and service of any writ against said corporation shall be good if made by leaving a copy thereof at such office; and all suits against said company shall be brought in said Union county, unless the cause of action shall be local to some other county, or arose in some other county, or in regard to business transactions in some other county.

§ 7. Said corporation, for the transaction of their business and the collection of debts due them, and enforcing contracts made with them, shall have the same rights and powers that natural persons have, and they shall be subject to the same liabilities and restrictions that natural persons are liable to in enforcing the payment of debts owing by them, or the enforcement of contracts made with them.

§ 8. The shares of said corporation shall be personal estate, and transferable on the books of the corporation according to its by-laws; but the corporation shall hold a lien on the shares of any stockholder who may be indebted to it; and such shares shall not be transferred without the consent of the president and directors until such debts shall be paid or discharged. Each share of capital stock shall entitle the holder to one vote at all meetings of stockholders.

§ 9. The said company shall, in good faith, commence the construction of locks and dams upon said river within two years from the passage of this act, and shall complete the same within ten years from the passage of this act.

§ 10. The said company shall have the right to construct a railroad or railroads, turnpikes or other roads, to or from any point or points on said river or elsewhere, for the purpose of transporting the property and carrying on the business of the company; and for that purpose may enter upon lands, take gravel, wood, stone, and earth, or other material, and to condemn land and secure right of way, procure lands for depots, buildings, and machine shops, in the manner prescribed in section fifteen (15) of an act, entitled "An act to incorporate the Horse Cave and Burksville Railroad Company," approved February 12, 1866.

§ 11. The General Assembly hereby reserves the right to regulate the tolls and charges for the transportations of freight and passengers by said company over or along any water-course, road, or railroad, improved or constructed under this act, and to regulate the manner in which said company shall use said river.

§ 12. All acts heretofore passed in conflict with this act, are hereby repealed.

§ 13. This act shall take effect and be in force from and after its passage, and shall remain in force thirty years, and no longer; and the General Assembly reserves to itself the right to alter, amend, or repeal this charter at any time; and at the expiration of thirty years from and after the passage of this act, the property and improvements in said river shall revert to, and vest in, this Commonwealth.

Mr. Gilbert then moved to amend said bill by adding to the list of incorporators named therein B. J. Webb, J. W. Gatewood, J. W. Blue, and Geo. H. Towery.

Which was adopted.

Mr. Gilbert moved further to amend said bill as follows, viz:

But the provisions of this act shall not apply to the counties of Ballard, McCracken, or Marshall, nor authorize the company to exercise any of the rights or privileges thereunder in said counties.

Ordered, That said bill, as amended, be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Cooper and Prichard, were as follows, viz:

Those who voted in the affirmative, were—

R. A. Burton,	John W. Johnson,	K. F. Prichard,
James F. Clay,	William Johnson,	E. D. Standeford,
G. W. Connor,	A. L. McAfee,	A. G. Talbott,
Wm. P. Duvall,	Alfred T. Pope,	Ben. J. Webb—13.
John J. Gatewood,		

Those who voted in the negative, were—

John S. Barlow,	D. R. Haggard,	G. A. C. Holt,
J. Q. Chenoweth,	H. S. Hale,	A. L. Martin,
John E. Cooper,	Edwin Hawes,	Emery Whitaker,
F. W. Darby,	J. B. Haydon,	Thos. Wrightson—13.
Jesse C. Gilbert,		

So said bill was rejected.

Mr. Holt then moved to reconsider the vote by which said bill had been rejected.

Which motion was simply entered.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Gatewood, from the Committee on Revised Statutes and Codes of Practice—

An act to amend chapter 28 of the Revised Statutes, entitled "Crimes and Punishments;"

By Mr. Gilbert, from the Committee on Courts of Justice—

An act to authorize the purchase of the footways of the Newport and Cincinnati bridge by certain justices' districts in Newport and vicinity;

With the expression of opinion that said bills ought not to pass.

And the question being taken on ordering said bills to be read a third time, the opinion of the committee to the contrary notwithstanding, it was decided in the negative.

So said bills were disagreed to.

Mr. Holt then moved to reconsider the vote by which the Senate had disagreed to the passage of the last named of said bills.

Mr. Wrightson moved to lay said motion on the table.

Which motion was adopted.

Mr. Gatewood, from the Committee on Education, to whom had been referred a bill which originated in the House of Representatives, entitled

An act for the benefit of schools in New Castle, Henry county,

Reported the same without amendment.

On motion,

Ordered, That said bill be made the special order of the day for the 10th day of January next, at 12 o'clock, M.

Mr. Standeford moved to reconsider the vote by which the Senate had disagreed to the passage of a bill which originated in the House of Representatives, entitled

An act to amend an act incorporating the Goshen, Oldhamsburg, and Sligo Turnpike Company;

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Standeford and Holt, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	Jesse C. Gilbert,	A. L. Martin,
R. A. Burton,	D. R. Haggard,	Alfred T. Pope,
J. Q. Chenoweth,	H. S. Hale,	K. F. Prichard,
James F. Clay,	Edwin Hawes,	E. D. Standeford,
G. W. Connor,	J. B. Haydon,	A. G. Talbott,
F. W. Darby,	G. A. C. Holt,	Emery Whitaker—20.
William P. Duvall,	John W. Johnson,	

In the negative—Wm. Johnson—1.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Hawes and Haggard, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	William P. Duvall,	A. L. Martin,
R. A. Burton,	D. R. Haggard,	A. L. McAfee,

James B. Casey, H. S. Hale, Alfred T. Pope,
J. Q. Chenoweth, J. B. Haydon, E. D. Standeford,
James F. Clay, G. A. C. Holt, A. G. Talbott,
G. W. Connor, John W. Johnson, Emery Whitaker—19.
F. W. Darby,

Those who voted in the negative, were—

Edwin Hawes, Wm. Johnson, Thos. Wrightson—5.
Jesse C. Gilbert, W. L. Vories,

Resolved, That the title of said bill be as aforesaid.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Webb, from the Committee on Agriculture and Manufactures—

An act to amend an act, entitled "An act to incorporate the Eastern Kentucky Marble, Lithograph Stone, and Mining Company," approved March 21st, 1870.

By same—

An act to charter the Young Men's Real Estate, Building, and Accumulating Association, of Louisville.

By Mr. Standeford, from the Committee on Internal Improvement—

An act to amend the charter of the Valley Turnpike and Gravel Road Company.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The following bills were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Burton, from the Committee on Finance—

A bill for the benefit of J. A. Tague, F. E. Skidmore, W. Mahony, W. B. Gillis, and M. Hunter, sureties of James B. Cook, late sheriff of Trimble county.

By Mr. Standeford, from the Committee on Internal Improvement—

A bill for the benefit of the Harrodsburg and Cornishville Turnpike Company.

By Mr. Haggard, from the Committee on Propositions and Grievances—

A bill for the benefit of J. M. Withrow.

By same—

A bill for the benefit of Grant Green.

By same—

A bill for the benefit of Fayette Hewitt.

By Mr. Prichard, from the Committee on the Judiciary—

A bill for the benefit of D. L. Haly and J. H. Morton.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, the last was placed in the orders of the day, and the rest were ordered to be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Cooper, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act to amend an act, entitled "An act to incorporate the Kentucky and Tennessee Railroad Company," approved February 25th, 1871;

An act to amend an act, entitled "An act to provide for the organization and regulation of incorporated companies, except banking, insurance, and railroad companies," approved March 15, 1870;

An act to amend an act, entitled, "An act authorizing the Commissioners of the Sinking Fund to contract with State banks for interest on State deposits," approved March 2, 1865;

An act authorizing the clerk of the Boyd circuit court to procure a general cross-index, and to index and cross-index all equity and common law suits of the docket on file in his office;

An act to incorporate the Ohio Valley Railroad Company;

An act to provide for the election and compensation of a vice chancellor of the Louisville chancery court, and to define his duties in connection with said court, and with the Jefferson court of common pleas, and to provide a room and offices for his court;

An act to amend section 29, chapter 103, Revised Statutes;

An act to amend an act, entitled "An act authorizing the sale of real estate and slaves in which there is a future contingent interest," approved August 23, 1862;

And enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz:

An act to amend the charter of the Madisonville and Shawneetown Straight-line Railroad Company;

An act to establish and provide for certain precincts and voting places in the city of Lexington and county of Fayette;

An act for the benefit of H. C. Thompson and W. T. Champion, of Livingston county;

An act authorizing the presiding judge of the Breathitt county court to submit to the qualified voters of said county the propriety of imposing an ad valorm and capitation tax for the construction of a bridge across the North Fork of the Kentucky river, near the town of Jackson;

An act to charter the Deposit Bank of Mt. Sterling;

An act to prevent and punish certain trespasses in Scott and Woodford counties;

An act for the benefit of A. S. Arnold, late sheriff of Hickman county;

An act for the benefit of Daniel Lewis, of Adair county;

An act for the benefit of Lewis Plummer, jailer of Lewis county;

An act for the appropriation of money;

Resolution extending the present session of the General Assembly;

And had found the same truly enrolled.

Said bills and resolution having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Cooper reported that the committee had performed that duty.

And then the Senate adjourned.

WEDNESDAY, MARCH 27, 1872.

A message was received from the House of Representatives, announcing that they had concurred in the amendments proposed by the Senate to bills, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Bank of Webster.

An act to incorporate the trustees of the Orphanage of the Good Shepherd, in the city of Louisville.

An act for the benefit of Webster county.

An act to amend an act, entitled "An act to reduce into one the several acts in regard to the town of Lancaster, and for other purposes," approved March 9, 1867.

An act to reduce into one, amend, and digest, the act and amendatory acts incorporating the town of North Middletown, in Bourbon county.

An act for the benefit of John S. Mattingly, sheriff of Meade county.

An act to incorporate the Mercantile Bank of Louisville.

An act to regulate official sales in Woodford county.

An act to amend an act, entitled "An act to incorporate the Union County Bank."

An act to incorporate the Good Templars' Joint Stock Company, of the town of Monterey, in Owen county.

An act to amend an act, entitled "An act to incorporate the Hawesville Cemetery Company," approved December 7th, 1850.

An act to revise, amend, and reduce into one the acts pertaining to the district of Highlands, in the county of Campbell.

An act empowering the trustees of common schools in Campbell county to levy taxes for the purpose of buying lands, building, repairing, and furnishing school-houses.

An act to confer upon the town marshal of Parksville, in Boyle county, the rights, duties, and powers of constables in certain civil cases.

An act for the benefit of Wm. Risner and Charles Menix, sureties of Stephen Howard, sheriff of Magoffin county.

An act to regulate defenses in actions of trespass in Carroll and Trimble counties.

An act to authorize chancellors to order survey of land.

An act to incorporate the Paducah Universal Deposit and Trading Bank.

An act for the benefit of the clerks of the county courts of Lewis, Clark, and Montgomery counties.

An act to incorporate the Atlantic and Ohio River Railway Company.

That they had passed bills of the following titles, viz:

1. An act to amend an act, entitled "An act to incorporate the Kentucky and Great Eastern Railway Company," approved March 21st, 1870.

2. An act to prohibit the sale of spirituous, vinous, malt, or intoxicating liquors in the county of Clay.

3. An act for the benefit of Mrs. E. B. Myers, of McCracken county.

4. An act for the promotion of medical science, and to prevent the traffic in dead human bodies.

5. An act to authorize the formation of corporations for manufacturing, mining, transportation, mechanical, or chemical purposes, in Carroll county.

6. An act to prohibit the sale of spirituous liquors in Simpson county.

7. An act for the benefit of W. S. Miller, jr., marshal of the town of Lancaster.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, the 2d, 3d, 4th, and 6th were placed in the orders of the day, and the 1st, 5th, and 7th were ordered to be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A message was also received from the House of Representatives, announcing that they had concurred in an amendment to a bill, which originated in the Senate, entitled

An act to authorize the Elizabethtown, Lexington, and Big Sandy Railway Company, and Chesapeake and Ohio Railway Company, to bridge the Big Sandy river.

Which amendment was taken up, twice read, and concurred in.

A message was also received from the House of Representatives, announcing that they had passed bills, which originated in the Senate, of the following titles, viz :

An act to amend an act to incorporate the Contracting and Building Company, for the purpose of building, and aiding in building, railroads, bridges, and telegraph lines," approved March 4th, 1872.

An act for the benefit of the Citizens' Passenger Railway Company, of Louisville.

An act to amend an act, entitled " An act to amend the charter of the town of Harrodsburg."

An act for the benefit of the Farmers' Mutual Insurance Company.

An act to amend an act to amend an act, entitled "An act for the incorporation and regulation of Fire, Marine, Health, Accident, Live Stock, and all other, except Life Insurance Companies," approved March 2d, 1870.

An act to incorporate the Central Kentucky Inebriate Asylum.

An act for the benefit of Warren county.

An act to incorporate Brawner's Patent Levee Company.

An act to authorize the counties of Trigg and Calloway to subscribe stock to railroads.

An act to provide for paying for indexing record books in the Warren circuit and county courts.

An act for the benefit of J. M. Withrow.

An act for the benefit of Grant Green.

An act for the benefit of Fayette Hewitt.

An act to incorporate the National Construction Company.

An act to incorporate the Pendleton Coal, Iron Mining, and Manufacturing Company.

An act to charter the Diamond Coal and Mining Company.

An act for the benefit of Polk Ditto, sheriff of Henry county.

An act to incorporate the Lee County Lumber, Mining, and Manufacturing Company.

An act to prevent the sale of spirituous liquors in the town of Burksville.

An act to establish and incorporate the town of Norton, in Hopkins county.

An act to incorporate the Citizens' Bridge Company.

An act to amend chapter 84, article 1, " Public Roads," of the Revised Statutes.

An act amendatory of the laws in relation to the city of Frankfort.

An act for the benefit of school district No. 1, of Ohio county.

An act to fix and regulate the times of holding the chancery court in Bracken, Pendleton, Campbell, and Kenton counties.

An act for the benefit of school district No. 60, in Scott county.

An act to incorporate the Christian Church Widows' and Orphans' Home.

An act for the protection of deer in Breathitt, Morgan, Magoffin, Elliott, and Wolfe counties.

An act for the benefit of Rufus D. Smith, of the county of Jessamine.

An act to increase the jurisdiction of the judge of the quarterly courts and that of the justices of the peace of Bracken county.

With an amendment to the last named bill.

That they had concurred in a resolution, which originated in the Senate, entitled

Resolution to print and distribute, in pamphlet form, the general laws passed at the present session of the General Assembly.

Mr. Haydon moved to reconsider the vote by which the Senate had, on yesterday, disagreed to the passage of a bill which originated in the House of Representatives, entitled

An act further to amend an act, entitled "An act to revise, digest, and compile the Statute Laws and Codes of Practice of Kentucky."

Which motion was simply entered.

A message was received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend an act, entitled "An act to authorize the trustees of the Cincinnati Southern Railway to acquire the right of way, and to extend a line of railway through certain counties in this Commonwealth," approved February 13, 1872.

An act to incorporate the White Stone Quarry Company.

An act to exempt Pulaski and Clinton counties from the provisions and requirements of an act approved February 11th, 1867.

An act to incorporate the Tygart Valley Iron Company.

An act to amend the Eminence and Sulphur Station Turnpike Road Company.

An act to incorporate the Pendleton Station and Wolf Run Turnpike Road Company.

An act to incorporate the Cross Roads and Cornishville Turnpike Road Company.

An act to incorporate the town of Glenville, in Adair county.

An act to regulate the rates of toll on the Germantown and Bridgeville Turnpike Road.

An act for the benefit of the Louisville Industrial Exposition.

An act for the benefit of Kenton county.

An act to amend the charter of the Fisherville and Buck Creek Turnpike Road Company.

An act to legalize and render valid the actions of the Garrard county court.

An act to amend the charter of the Fox Run and Lagrange Turnpike Road Company, in Shelby county.

An act for the benefit of James Turner, late sheriff of Perry county.

An act for the benefit of the Sulphur Well Branch of the Nicholasville and Kentucky River Turnpike Road Company.

An act to amend an act to incorporate the Shelbyville and Burk's Branch Turnpike Road Company.

An act to amend the charter of the Paducah Gas-light Company.

An act to amend the charter of the Flat Rock and Floyd's Fork Turnpike Road Company.

An act to incorporate the Frankfort Commonwealth Printing Company.

An act to amend the charter of the Union and Richwood Turnpike Road Company.

An act to amend chapter No. 315, of acts 1869–'70, entitled "An act to incorporate the Rio Bridge Company."

An act to incorporate the Paducah and Mayfield Gravel Road Company.

An act to amend an act, entitled "An act amending the public school laws in the city of Owensboro," passed and approved the present session of the Legislature.

An act legalizing orders and proceedings of the Pulaski county court.

An act to prohibit the sale of spirituous, vinous, or malt liquors in the precinct of Millersburg, Bourbon county.

An act for the benefit of A. McCampbell, late sheriff of Jessamine county.

An act to amend the charter of the town of Eddyville, in Lyon county.

An act for the benefit of the Commercial Bank of Kentucky.

An act to empower the overseer of the State road in Trigg county to make a change in said road.

An act for the benefit of Woodford county.

An act to extend the time for the payment of railroad taxes in Bourbon county.

An act to amend the charter and laws of the town of Belleview, in Campbell county.

An act to incorporate the town of Paintsville.

An act to incorporate the Leestown Turnpike Road Company.

An act to provide for the construction and completion of turnpike roads in Harrison county.

An act to amend the charter of the Cloverport and Hardinsburg Turnpike Road Company, in Breckinridge county.

An act for the benefit of the estate and infant heirs of Harvey Usher, late of Ballard county.

An act to amend an act to authorize the Shelby county court to issue bonds for the benefit of turnpike roads.

An act for the benefit of the Lagrange and Shelbyville Turnpike Road Company.

An act for the benefit of the Germantown and North Fork Turnpike Road Company, in Mason county.

An act for the benefit of Stephen T. Blair and Samuel Blair, of Letcher county.

A message in writing was received from the Governor by Mr. Botts, Assistant Secretary of State.

Said message was taken up and read as follows, viz:

STATE OF KENTUCKY, EXECUTIVE DEPARTMENT,
FRANKFORT, March 27, 1872.

Gentlemen of the Senate:

I hereby nominate for your advice and consent the following persons as suitable to be commissioned as notaries public, viz:

William Bollen, Newport, Campbell county.
Emmet Field, Jefferson county.
W. S. Ford, Larue county.

Respectfully,

P. H. LESLIE.

Resolved, That the Senate advise and consent to said nominations.

105–s.

The Senate took up for consideration the amendment proposed by the House of Representatives to the amendment proposed by the Senate to a bill, which originated in the House of Representatives, entitled

An act to allow the citizens of Henry county to vote upon the question of the removal of the county seat from New Castle.

And the question being being taken on concurring in said amendment, it was decided in the affirmative.

The Senate took up for consideration a bill, which originated in the House of Representatives, entitled

An act for the benefit of schools in New Castle, Henry county,

On motion,

Ordered, That the further consideration of said bill be postponed to, and made the special order of the day for, the 10th day of January, 1873, at 12 o'clock, M.

On motion of Mr. Pope, a message was sent to the House of Representatives, asking leave to withdraw the announcement of their disagreement to the passage of a bill, which originated in the House of Representatives, entitled

An act to regulate defenses in actions of trespass in Carroll and Trimble counties.

Mr. Vories moved to reconsider the vote by which said bill had been disagreed to.

Which motion was adopted.

The vote dispensing with the third reading of said bill, as also that ordering it to be read a third time, were also reconsidered.

Mr. Vories then moved an amendment to said bill.

Which was adopted.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Chenoweth offered the following resolution, viz:

1. *Resolved by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts be, and he is hereby, directed to draw his warrant on the Treasury in favor of W. H. Stanley, for the sum of ninety-eight dollars, which the Treasurer is hereby directed to pay to said Stanley out of any money in the Treasury not otherwise appropriated.

2. This resolution shall take effect from and after its passage.

Which was twice read and adopted.

Mr. J. W. Johnson moved to suspend the rule adopted on yesterday prohibiting the introduction of any new bills, &c.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Hawes and Webb, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	F. W. Darby,	K. F. Prichard,
R. A. Burton,	William P. Duvall,	E. D. Standeford,
James B. Casey,	John J. Gatewood,	A. G. Talbott,
J. Q. Chenoweth,	D. R. Haggard,	W. L. Vories,
James F. Clay,	J. B. Haydon,	Ben. J. Webb,
G. W. Connor,	John W. Johnson,	Thos. Wrightson—20.
John E. Cooper,	Alfred T. Pope,	

Those who voted in the negative, were—

Edwin Hawes, Wm. Johnson—2.

Mr. Wrightson, from the Committee on Railroads, reported a bill, entitled

A bill to incorporate the National Construction Company.

Which bill was read the first time and ordered to be read a second time.

Said bill was read a second time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That C. J. Tyler, A. J. Hodder, David Sinton, Thos. G. Gaylord, John K. Youtsey, and T. Wrightson, and their associates, successors, and assigns, are hereby created a body-politic and corporate, under the name and style of the "National Construction Company;" and by that name shall have perpetual succession, with power to contract and be contracted with, sue and be sued, in all courts and places; and have and use a common seal, and alter the same at pleasure; and to make all necessary by-laws and regulations for the government of said company and the conduct of its business, not inconsistent with the Constitution of this Commonwealth or of the United States, or the laws made in pursuance thereof.

§ 2. The said company shall have power, and is hereby authorized, to build, construct, enlarge, repair, complete, equip, and furnish, and aid in building, constructing, enlarging, repairing, completing, equipping, and furnishing, railroads, railroad bridges, and other bridges and telegraph lines, and all buildings and erections necessary or appurtenant thereto, in any State of the United States; and to this end may acquire franchises, and contract with those having the power or franchise to build railroads, bridges, and telegraph lines, and may receive in payment cash notes, bonds, or stocks of any individuals or corporations, and securities issued by any Government, State, county, town, or other corporation, municipal or otherwise; and sell, purchase, and hypothecate such securities; borrow

and loan money; issue its own bonds at a rate of interest not exceeding ten per cent.; and sell, negotiate, and pledge the same at such rates of discount as it may deem best; and make advances of money and credit to railroad, telegraph, and bridge companies, and to contractors; and for the purposes of their said business, may purchase, acquire, lease, hold, use, occupy, enjoy, convey, mortgage, and exchange, real and personal property of every kind and description, and do all other acts and things necessary and proper to exercise and carry out the powers herein granted: *Provided*, That the power herein granted to build and aid in building railroads, bridges, and telegraph lines, shall relate only to those for which franchises now exist, or may hereafter be created by law: *And provided further*, That the bonds which may be issued by said company shall not exceed in amount the capital stock paid, or secured to be paid.

§ 3. The capital stock of said company shall be one million of dollars, divided into shares of one hundred dollars each, which shares shall be personal property, and may be subscribed, paid for, and transferred, and forfeited for non-payment, in such manner as the said company or its board of directors may, by resolution or by-laws, prescribe and determine. When one hundred thousand dollars of said capital stock shall be subscribed, and ten per cent. of such subscription paid in, the said company may organize and proceed to business; but no certificate of stock shall issue until subscribed for on the books of the company, and the whole amount so subscribed paid in. The capital stock may be increased from time to time to an aggregate amount not exceeding ten millions of dollars, or may be diminished; but any such increase or diminution shall be, in each case, by the consent, in writing, of two thirds in amount, at the time, of the stockholders of said company. Each share of stock shall be entitled to one vote. Stock may be voted by proxy.

§ 4. Said company shall have power to manage and control its business by a board of directors, to consist of not more than nine (9) nor less than three (3) members, as may be determined by the stockholders, to be elected by them at the principal office of the company, at such time, and in such manner, and for such terms, and with such powers, as the said stockholders shall, from time to time, determine, and by a president and other officers, to be appointed by the board of directors; a majority in amount of stockholders, or a majority in number of directors, to constitute a quorum at their respective meetings.

§ 5. Said company may, from time to time, as it may deem proper, make, declare, and pay dividends or profits, and distribute net receipts, proceeds of sale, or property of the company, among the stockholders, *pro rata*, according to the amount of stock held by each.

§ 6. The stockholders shall not be individually liable for contracts, liabilities, and debts of said company; but the stock, privileges, rights, and properties held and owned by the company shall be liable therefor.

§ 7. The principal office of the company shall be in the city of

Newport, Kentucky, or in such city or town of this State as the stockholders may, from time to time, determine.

§ 8. Said company shall, on or before the 31st day of December, in each year, report to the Auditor of Public Accounts of this State a statement of its business transacted in this State or any other State, and the value of its property therein, but shall not be required, under any law of this State, to make any other or further report to said Auditor or other officer of this State; but the General Assembly reserves the power to require, at any time, from said company, a full and detailed statement of its property and transactions in this Commonwealth.

§ 9. Nothing in this act contained shall be construed to confer upon said company any banking privileges.

§ 10. Should said company purchase any railroads in this State, whose charters were granted prior to the passage of an act, entitled "An act reserving the power to amend or repeal charters and other laws," approved February 14, 1856, said charters, and all their amendments, shall be subject to the control of the Legislature, in like manner as if they had been passed subsequent to the date of said act.

§ 11. This act shall take effect and be in force from and after its passage.

Mr. Hawes moved to postpone the further consideration of said bill till the 16th of next January.

Which motion was rejected.

Ordered, That said bill be engrossed and read a third time.

The question was then taken on dispensing with the third reading of said bill, and it was decided in the negative, four fifths not having voted therefor.

The yeas and nays being required thereon by Messrs. Hawes and Whitaker, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	F. W. Darby,	Alfred T. Pope,
R. A. Burton,	William P. Duvall,	K. F. Prichard,
James B. Casey,	John J. Gatewood,	E. D. Standeford,
J. Q. Chenoweth,	D. R. Haggard,	A. G. Talbott,
James F. Clay,	J. B. Haydon,	Ben. J. Webb,
G. W. Connor,	John W. Johnson,	Thos. Wrightson—18.

Those who voted in the negative, were—

John E. Cooper,	William Johnson,	Emery Whitaker—5.
Edwin Hawes,	W. L. Vories,	

Mr. Hawes then moved to reconsider the vote by which the Senate had refused to dispense with the third reading of said bill.

Which motion was adopted.

The question was then taken on dispensing with the third reading of said bill, and it was decided in the affirmative.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

Resolved, That the title of said bill be as aforesaid.

Mr. Wm. Johnson, from the Committee on the Judiciary, to whom had been referred a bill which originated in the House of Representatives, entitled

An act to authorize a chancellor to order survey of land,

Reported the same with an amendment.

Which was adopted.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid,

Leave was then granted Mr. Martin to report the passage of said bill to the House of Representatives.

Mr. Pope offered the following resolution, viz:

WHEREAS, All the stock in the Louisville and Portland Canal belongs to the United States Government, except five shares owned by the directors of the Louisville and Portland Canal Company, and said directors, under the authority of the legislation of Kentucky and the United States, executed a mortgage to Isaac Caldwell and Dean Richmond to secure bonds named in said mortgage, some of which are out and unpaid, and said canal company may owe other debts; and whereas, it is right and proper that the Government of the United States should assume the control and management of said canal; therefore, be it

Resolved by the General Assembly of the Commonwealth of Kentucky, That the president and directors of the Louisville and Portland Canal Company are hereby authorized and directed to surrender the said canal, and all the property connected therewith, to the Government of the United States, upon the following terms and conditions:

1. That the Government of the United States shall not levy tolls on said canal, except such as shall be necessary to keep the same in repair, pay all necessary superintendence, custody and expenses, and make all necessary improvements.

2. That the city of Louisville shall have the right to throw bridges over the canal at such points as said city may deem proper: *Provided, always*, That said bridges shall be so located as not to interfere with the use of the canal, and so constructed as not to interfere with its navigation.

3. That the title and possession of the United States of the said canal shall not interfere with the right of the State to serve criminal and civil processes, or with the State's general police power over the territory covered by the said canal and its appendages.

4. *And further*, That the city of Louisville shall at all times have the right of drainage into said canal, provided that the connections between the drains and the canal shall be made upon the plan to keep out mud and garbage.

5. That the use of the water-power of the canal shall be guaranteed forever to the actual owners of the property contiguous to said canal, its branches and dams, subject to such restrictions and regulations as may be made by the secretary of the department of the United States Government which may have charge of the said canal.

6. That the Government of the United States shall, before such surrender, discharge all the debts due by said canal company, and purchase the stock of said directors.

Mr. Hawes moved to postpone the further consideration of said resolution till the 15th of next January.

Which motion was rejected.

The question was then taken on the adoption of said resolution, and it was decided in the affirmative.

Mr. Clay moved that a committee be appointed by the Senate, to act in conjunction with a similar committee appointed on the part of the House of Representatives, to withdraw, unsigned, from the Governor, a bill, which had passed the two Houses, entitled

An act to amend the charter of the city of Lexington.

Pending the consideration of which motion,

A message in writing was received from the Governor by Mr. Botts, Assistant Secretary of State.

Said message was taken up and read as follows, viz:

Gentlemen of the Senate:

After careful consideration, and with earnest sympathy for our fellow-citizens whom the measure is designed to relieve, I am constrained by clear and imperative convictions of duty to return to you, with my objections, a bill which originated in your body, entitled "An act to amend the charter of the city of Lexington."

I call your attention to a recital of the first two sections of the bill, and respectfully invite a serious reconsideration of them. They are as follows:

That an act, entitled "An act to amend the charter of the city of Lexington," approved March 3d, 1870, be so amended that the councilmen elected under the provisions of an act, entitled "An act to amend the charter of the city of Lexington," approved January 24th, 1870, shall remain in office for four years from the first Thursday after the first Saturday in March, 1873, and until their successors are duly elected and qualified: *Provided, however*, That the term of office of one councilman from each ward of the city shall expire on

the first Thursday after the first Saturday in March, 1873, and of each succeeding year; and it shall be determined by lot, to be drawn among the councilmen from each respective ward, who shall retire from office as above prescribed: *And provided further*, That the councilman so retiring shall be deemed ineligible to the office of councilman for one year thereafter.

§ 2. That upon the termination of the term of office of four councilmen, as provided for in the first section of this act, the eight remaining councilmen shall, on the first Thursday after the first Saturday in March, 1873, and in each succeeding year, elect, by ballot, one councilman from each ward in the city to fill the vacancies thus occasioned, and whose term of office shall be three years from said date, and until their successors are duly elected and qualified.

These sections contain a legislation which is not only extraordinary, but, in my opinion, violative, if not of the letter, at least of the spirit, of the Constitution; a legislation not in harmony with the genius of our republican institutions, and certainly subversive of the time-honored traditions and cherished principles of American Democracy. They apply, as it seems to me, to a municipal arena measures kindred to those which we have so strongly and justly reprobated when imposed by Federal authority upon the Southern States. However grieved and indignant we may be that the real proprietors of a city distinguished for its intelligence, culture, and wealth, should be controlled by the mere numerical strength of an ignorant and thriftless race, just emerged from slavery; and however anxious we may be to relieve them, we should bear in mind that, though we may for a time repress, *we can never truly and effectually remedy a political evil by exceptional laws*, especially if those laws contravene the theory and fundamental principles of the organic law.

The most serious innovations in public polity usually originate in the form of some exceptional case, appealing to our sympathies and passions, and in our eagerness to redress the grievance we forget how dangerous a precedent our act may furnish, and for what deplorable consequences it may afford a pretext. Amid the revolutionary tendencies of the period through which we are passing, it becomes us to guard with jealous and conservative vigilance against every attempt to remove or ignore the old landmarks.

The charter of the city of Lexington, granted by the Legislature in 1867, provided that on the first Saturday in March of each year a mayor, councilmen, and other officers should be voted for by the

qualified voters of the city, the election to be held in the same manner as other elections are held in this State. It also directed, that in the event of the death, resignation, or refusal to act of the mayor, the councilmen should select one of their own number to supply his place, until a mayor should be elected and sworn in, and required that another election should be *immediately* ordered to supply such vacancy; and in the like event of one or more councilmen, the board should order a new election to supply their place. They were authorized to fill vacancies occurring in other city offices by appointment. By an act approved January 24, 1870, the charter was so amended as to change the time of election to the last Thursday in January of that year, extending also the term of service to three years, unless the mayor and council should choose to order an election at the end of the first year, and empowering them to fill all vacancies which might occur during that time among their own number or other city officers. The amendment now proposed provides that the councilmen elected under the act of 1870 shall continue in office for four years after the expiration of the time for which they were elected, and until their successors are duly elected and qualified. It also provides that each year four councilmen—one from each ward—to be determined by lot, shall go out of office, who shall not be re-eligible for one year thereafter; and that the eight remaining councilmen shall elect their successors to fill the vacancies, who shall continue in office to the end of the term, and until their successors are duly elected and qualified.

That the Legislature has full power to fix the term of office, to prescribe that the officers to be elected at a specified time by the qualified voters of the city of Lexington, or any other public corporation, shall hold office for four, ten, or any number of years, there cannot be a doubt. The Constitution expressly declares (article 6, section 6): "Officers for towns and cities shall be elected for such terms and in such manner, and with such qualifications, as may be prescribed by law." When, therefore, the Legislature, by the amended charter of 1870, authorized the councilmen who should be chosen at the time specified to hold office for the term of three years; when it prescribed the manner of holding the election by declaring "that it should be held in the same manner as other elections are held in this State;" and when it required as qualification for office citizenship in the city and two years' residence in the State, it exercised

powers not only constitutional, but such as it alone is competent to exercise. Good order and the purity of elections require that these things should not be left to popular caprice. The people may not determine the time, place, and manner of holding elections, or prescribe the qualifications of electors or candidates. The decision of such incidental matters has been properly intrusted to the law-making power. On the other hand, the Legislature may not, under the Constitution, directly or indirectly, either elect or appoint the officers of a city. It is clear that the Constitution, article 6, section 6, above quoted, requires such officers to be *elected*—a word which is sometimes loosely used, but whose political meaning is so well established, and the sense in which the framers of the Constitution understood and used it is so clearly discernible from that instrument, that whether the words "by the qualified voters" be added or not, it always represents election by the people as contradistinguished from appointment. Those who are acquainted with the political history of the State must know how definitely the meaning of this word was fixed by circumstances in the minds of those who composed the constitutional convention. The matter is ably stated in the opinion of the Court, delivered by Judge Duvall, in the case of *Speed and Worthington vs. Crawford* (3 *Metcalfe*, 211), to an extract from which I call your attention: "To curtail the power of appointment to office by the executive, and to extend the elective principle, was one of the leading objects of the authors of the new Constitution. This purpose was not more distinctly manifested in the expression of public sentiment which led to the call of a convention, than it has been in the provisions of the instrument itself Almost all judicial and ministerial offices, as well as many of the executive offices, had been previously filled by *appointment*. The great object of the change in the system was to refer to the people the choice of their officers of all grades and classes, whether State, district, county, city, or town officers; that choice was to be made through the instrumentality of an *election*. Hence, the word 'elect' and 'election' will be found to have been used by the framers of the present Constitution in a sense as radically different from that of the words 'appoint' and 'appointment,' as the present organic law is from the system that it superseded. No single instance can be found in which the words are employed to convey the same idea." The judge adds a number of citations from the Constitution in proof of his position. Indeed, so fixed had become the usage of the word in

the sense here contended for, and it was so commonly used in statutes without any explanatory addition, that it was deemed proper, in order to avoid all possible ambiguity, to establish that meaning by law. Accordingly we have the definition given in the Revised Statutes, chapter 32, title "Elections," article 1, section 1, as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That wherever in this chapter, or in any statute hereafter passed, it is said an election shall be held, or an equivalent expression is used in reference to a State, district, or county election, it shall be deemed to mean an election by the qualified voters, to be held at the places of voting in the various precincts or justices' districts whose voters have a right to vote in the election of the officers designated.

Inasmuch, then, as an election by the people has alone conferred the right to hold their offices on the mayor and councilmen of Lexington, and that for a definite time, when their term of office expires in 1873, they are no longer the elect representatives of the people. Whose representatives will they be? Can the Legislature elect them? Can it appoint them? If not, whence can they derive a right to legislate, to lay and collect taxes from a people whom they do not represent? Even if, by technical pleading, this amendment could be brought within the letter of the Constitution, I should still feel that the spirit of that instrument had been violated, knowing that a general impatience of appointments and of long tenure of office was a chief cause of popular clamor for the last constitutional convention; and that the leading purpose in its labors was to subject all officers more thoroughly to the control of the people by frequency of elections. This bill virtually appoints the present twelve councilmen, and installs them into office at the end of the time for which they were elected by the people, and prescribes how they shall perpetuate and keep in office the legislators for this municipality for all time to come. In other words, it provides that at the end of every year an election shall be held for one councilman from each ward in the city, but that no one can vote at the election except the councilmen.

I feel assured, too, that this exceptional species of legislation will not end with the passage of this act. Many other cities and towns are laboring under the same grievance as Lexington, and will clamor for a similar redress. Legislators will, perhaps, find it difficult to refuse the relief sought; and a pretext might soon be furnished to our political enemies to allege, with some show of

plausibility, that if Kentucky had not ceased to have a republican government, she at least had ignored her organic law, and was subjecting her cities to legislative control in the interest of party.

I have spoken with great candor, because I feel that the decision of the subject will have no ordinary influence upon our political future. With this statement of my objections, I return the bill to you, respectfully and earnestly asking your thoughtful reconsideration of it.

Respectfully,

P. H. LESLIE.

The bill referred to in said message reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That an act, entitled "An act to amend the charter of the city of Lexington," approved March 3d, 1870, be so amended that the councilmen elected under the provisions of an act, entitled "An act to amend the charter of the city of Lexington," approved January 24th, 1870, shall remain in office for four years from the first Thursday after the first Saturday in March, 1873, and until their successors are duly elected and qualified: *Provided, however*, That the term of office of one councilman from each ward of the city shall expire on the first Thursday after the first Saturday in March, 1873, and of each succeeding year; and it shall be determined by lot, to be drawn among the councilmen from each respective ward, who shall retire from office as above prescribed: *And provided further*, That the councilman so retiring shall be deemed ineligible to the office of councilman for one year thereafter.

§ 2. That upon the termination of the term of office of four councilmen, as provided for in the first section of this act, the eight remaining councilmen shall, on the first Thursday after the first Saturday in March, 1873, and in each succeeding year, elect, by ballot, one councilman from each ward in the city to fill the vacancies thus occasioned, and whose term of office shall be three years from said date, and until their successors are duly elected and qualified.

§ 3. That the council shall have power to license and tax all real estate agents in the city of Lexington.

§ 4. That the council shall have power to tax all whisky and other property in store in the city, whether belonging to residents or non-residents thereof; and by ordinance require, under proper penalty, the persons, in whose custody such whisky and other property may be, to list the same for taxation, and be held liable for the taxes thereon.

§ 5. All acts and parts of acts in conflict with this act are hereby repealed.

§ 6. This act to take effect and be in force from and after its passage.

Mr. Chenoweth moved to postpone the further consideration of said message until the 20th of next January.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Hawes and Wrightson, were as follows, viz:

Those who voted in the affirmative, were—

James B. Casey,	John E. Cooper,	A. L. McAfee,
J. Q. Chenoweth,	William Johnson,	O. D. McManama—7.
G. W. Connor,		

Those who voted in the negative, were—

John S. Barlow,	D. R. Haggard,	E. D. Standeford,
R. A. Burton,	Edwin Hawes,	A. G. Talbott,
James F. Clay,	J. B. Haydon,	W. L. Vories,
F. W. Darby,	John W. Johnson,	Ben. J. Webb,
Wm. P. Duvall,	Alfred T. Pope,	Emery Whitaker,
John J. Gatewood,	K. F. Prichard,	Thos. Wrightson—18.

The question was then taken, "Shall the bill pass, the objections of the Governor to the contrary notwithstanding?" and it was decided in the negative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

R. A. Burton,	G. W. Connor,	A. L. Martin,
James B. Casey,	D. R. Haggard,	A. L. McAfee,
J. Q. Chenoweth,	William Johnson,	A. G. Talbott—9.

Those who voted in the negative, were—

John S. Barlow,	Edwin Hawes,	E. D. Standeford,
James F. Clay,	J. B. Haydon,	W. L. Vories,
John E. Cooper,	John W. Johnson,	Ben. J. Webb,
F. W. Darby,	Alfred T. Pope,	Emery Whitaker,
Wm. P. Duvall,	K. F. Prichard,	Thos. Wrightson—16.
John J. Gatewood,		

So said bill was rejected.

Mr. Casey offered the following resolution, viz:

WHEREAS, The Committee of Ways and Means in House of Representatives in the Congress of the United States are now engaged in considering the propriety of a uniform tax on manufactured tobacco; and whereas, such a tax, if fixed at over sixteen cents per pound, would be ruinous to the producers of leaf tobacco in Kentucky, as it would almost destroy the sale in this country of all the low and medium grades now used for manufacturing smoking tobacco, and throw these grades into the hands of foreign buyers at a very low price, competing and bringing down the price of the grades now being exported; therefore, be it

Resolved, That our Senators and Representatives in Congress be requested to vote and use their influence against any uniform tax on

manufactured tobacco, unless the tax is fixed as low as sixteen cents per pound; and to vote and use their influence to prevent any increase on the present tax on smoking tobacco, now fixed at sixteen cents per pound.

Which was twice read and adopted.

A message was received from the House of Representatives, announcing that they had passed a bill, entitled

An act to authorize the county courts of Grant and other counties to submit a vote of tax to provide the right of way for railroads.

Said bill was taken up and read as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That it shall be lawful for the several county courts of the counties of Grant, Scott, Woodford, Fayette, Mercer, Madison, Clinton, Boyle, Lincoln, Pulaski, Wayne, and Russell, Casey, Clark, Montgomery, Jessamine, Bourbon, and Garrard, to submit to the qualified voters of said counties, or any civil district or districts of said counties, in their discretion, the question of voting upon said counties, or civil district or districts, a tax sufficient to provide such sum or sums of money as may be necessary to purchase the right of way through said counties of Grant, Scott, Woodford, Fayette, Mercer, Madison, Clinton, Boyle, Lincoln, Pulaski, Wayne, Russell, and Casey, Clark, Jessamine, Montgomery, Bourbon, and Garrard, for any railroad or railroads which may be proposed to be extended through said counties: *Provided*, That the county court shall give at least thirty days' notice prior to the submission of the vote, by publication in some paper published in the several counties, or by written or printed notice of such election being posted in at least two places in each of the several civil districts in said counties in which the question of tax shall be submitted; said election shall be held by the same officers, governed by the same laws, certified in the same manner, the poll compared by the same officers, and the result certified, as is required by law in cases of other general elections.

§ 2. The county court of said counties shall have the right to levy a sum of money sufficient to pay for said right of way, and the sheriff shall collect the same in the same mode and manner in which he collects the county levy; and it shall be the duty of the sheriffs of said counties to collect said taxes for said purposes.

§ 3. This act shall take effect from and after its passage.

Mr. Hawes moved to lay said bill on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Hawes and Prichard, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	Edwin Hawes,	Alfred T. Pope,
R. A. Burton,	J. B. Haydon,	K. F. Prichard,
John J. Gatewood,	Wm. Johnson,	Emery Whitaker—9.

Those who voted in the negative, were—

James B. Casey,	F. W. Darby,	A. L. McAfee,
J. Q. Chenoweth,	William P. Duvall,	A. G. Talbott,
G. W. Connor,	D. R. Haggard,	Thos. Wrightson—11.
John E. Cooper,	John W. Johnson,	

Mr. Cooper then moved to postpone the further consideration of said bill till the 10th day of January, 1873.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Cooper and Chenoweth, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	G. W. Connor,	A. L. McAfee,
R. A. Burton,	John E. Cooper,	A. G. Talbott,
James B. Casey,	F. W. Darby,	Thos. Wrightson—11.
J. Q. Chenoweth,	William P. Duvall,	

Those who voted in the negative, were—

John J. Gatewood,	John W. Johnson,	K. F. Prichard,
D. R. Haggard,	Wm. Johnson,	W. L. Vories,
Edwin Hawes,	Alfred T. Pope,	Emery Whitaker—10.
J. B. Haydon,		

Mr. Gatewood moved the following resolutions, viz:

1. *Resolved*, That the thanks of this body are due, and hereby tendered, to the Speaker of the Senate, and the Speaker *pro tempore*, Hon. Wm. Johnson, for the faithful, dignified, able, and impartial manner in which they have presided over the Senate during the present session

2. That the thanks of the Senate are also due the Chief and Assistant Clerks, the Sergeant-at-Arms, Door-keeper, and Pages, for the courteous and faithful manner in which they have di-charged their various duties during the present session of this Senate.

Which were twice read and adopted.

Mr. Whitaker moved the following resolution, viz:

Resolved, That the Senate will not entertain or pass any bill until the adjourned session, after five o'clock of this day.

Which was twice read and adopted.

Mr. Gatewood, from the Committee on Revised Statutes and Codes of Practice, to whom had been referred a bill, which originated in the House of Representatives, entitled

An act to amend section 834 of Civil Code,

Reported the same, with the expression of opinion that said bill ought not to pass.

And the question being taken on ordering said bill to be read a third time, the opinion of the committee to the contrary notwithstanding, it was decided in the negative.

So said bill was disagreed to.

A message was received from the House of Representatives, announcing that they had passed a bill, entitled

An act concerning the pauper lunatics of this Commonwealth.

Said bill was taken up and read the first time and ordered to be read a second time.

Said bill was read a second time as follows, viz:

WHEREAS, It appears that there is a large number of pauper lunatics in this Commonwealth who cannot be received in the asylums because there is not sufficient room for them; for remedy whereof,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That where any person of the Commonwealth has been, or may hereafter be, found to be a pauper lunatic, as now prescribed by law, and cannot be received in either of the asylums, some person shall be appointed a committee by the court to take charge of, support, and clothe such lunatic; but before entering on the discharge of his or her duty, he or she shall give bond to the Commonwealth of Kentucky, with good and approved security, that he or she, as the case may be, will treat said lunatic with humanity, give said lunatic wholesome food, clothing, and lodging, and proper medical attention during the time he or she may have the custody of said lunatic; and for said services said committee shall be paid at the rate of $200 per annum, out of any money in the Treasury not otherwise appropriated; but before said payment is made, the clerk of the circuit or county court in which said committee resides shall certify to the Auditor of Public Accounts the time said committee had charge of said lunatic; and when said certificate shall have been received by the Auditor of Public Accounts, he shall draw his warrant on the Treasury, payable to said committee, for the amount due, which sum shall be paid out of any money in the Treasury not otherwise appropriated.

§ 2. It shall be the duty of the several clerks of this Commonwealth, where a person has been found to be a pauper lunatic, to copy the inquisition and judgment of court to the superintendent of one of the asylums; and if said lunatic can be received, he or she, as the case may be, shall be carried there by said committee appointed by the court, and shall be paid for said services as committees are now paid in similar cases.

§ 3. If any committee fails to convey, or have conveyed, any pauper lunatic to the asylum, after having received notice from the superintendent that said lunatic can be received, the pay of said committee shall cease, after having received said notice.

§ 4. Where no person will consent to be appointed a committee to a lunatic, the said lunatic shall be delivered to the jailer of the county, and he shall perform the duties assigned herein to a com-

mittee, receive the same pay, and shall be paid as committees are paid herein.

§ 5. This act shall take effect from and after its passage.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow,	William P. Duvall,	Alfred T. Pope,
R. A. Burton,	John J. Gatewood,	K. F. Prichard,
James B. Casey,	D. R. Haggard,	E. D. Standeford,
J. Q. Chenoweth,	Edwin Hawes,	A. G. Talbott,
James F. Clay,	J. B. Haydon,	W. L. Vories,
G. W. Connor,	John W. Johnson,	Ben. J. Webb
John E. Cooper,	Wm. Johnson,	Thos. Wrightson—23.
F. W. Darby,	A. L. McAfee,	

In the negative—none.

Resolved, That the title of said bill be as aforesaid.

A message was received from the House of Representatives, announcing that they had receded from their disagreement to the second amendment proposed by the Senate to a bill which originated in the House of Representatives, entitled

An act to prohibit the sale of ardent spirits in Breathitt and Powell counties.

That they had concurred in the amendment proposed by the Senate to a resolution which originated in the House of Representatives, entitled

Resolution providing for the purchase of a library for the Kentucky Penitentiary.

That they had concurred in resolutions, which originated in the Senate, of the following titles, viz:

Resolution in relation to the Louisville and Portland Canal.

Resolution in relation to a uniform tax on tobacco by the Federal Government.

Resolution for the benefit of W. H. Stanley.

That they had passed a bill, which originated in the Senate, entitled

An act for the benefit of John P. Barrett, sheriff of Ohio county.

A message was received from the Governor by Mr. Botts, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to incorporate the Ohio Valley Railroad Company.

An act to amend an act, entitled "An act to incorporate the Kentucky and Tennessee Railroad Company," approved February 25th, 1871.

An act to amend an act, entitled, "An act authorizing the Commissioners of the Sinking Fund to contract with State banks for interest on State deposits," approved March 2, 1865.

An act to provide for the election and compensation of a vice chancellor of the Louisville chancery court, and to define his duties in connection with said court, and with the Jefferson court of common pleas, and to provide a room and offices for his court.

An act to amend an act, entitled "An act to provide for the organization and regulation of incorporated companies, except banking, insurance, and railroad companies," approved March 15, 1870.

An act to amend an act, entitled "An act authorizing the sale of real estate and slaves in which there is a future contingent interest," approved August 23, 1862.

An act to amend section 29, chapter 103, Revised Statutes.

An act authorizing the clerk of the Boyd circuit court to procure a general cross index, and to index and cross-index all equity and common law suits of the docket on file in his office.

The following bills were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Gatewood, from the Committee on Revised Statutes and Codes of Practice—

A bill for the benefit of John P. Barrett, sheriff of Ohio county.

By Mr. Haggard, from the Committee on Propositions and Grievances—

A bill for the protection of livery stable-keepers in McLean county.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Barlow, from the Committee on Claims—

An act for the benefit of W. S. Shepperd, of Pulaski county.

By same—

An act for the benefit of John P. McAndrew, of Lewis county.

By Mr. Standeford, from the Committee on Internal Improvement—

An act for the benefit of the Elizaville and Elizaville Station Turnpike Road Company.

By Mr. Gatewood, from the Committee on Revised Statutes and Codes of Practice—

An act to amend an act, entitled "An act to amend chapter 84 of the Revised Statutes, title "Roads and Passways."

By Mr. Haggard, from the Committee on Propositions and Grievances—

An act authorizing Alexander Combs to erect a mill-dam across the North Fork of the Kentucky river.

By same—

An act authorizing W. W. Combs to erect a mill-dam across the North Fork of the Kentucky river.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A message was received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed an enrolled resolution, which originated in the House of Representatives, of the following title, viz:

Resolution in relation to adjournment of the General Assembly of the Commonwealth of Kentucky on the 28th inst., at one o'clock, P. M.

Mr. Cooper, from the Committee on Enrollments, reported that the committee had examined enrolled bills and a resolution, which originated in the Senate, of the following titles, viz:

An act to incorporate the Westport, Carrollton, and Ghent Railroad Company;

An act to amend section 7, chapter 105, of the Revised Statutes, in relation to weights and measures;

An act to amend the charter of the Louisville, Cincinnati, and Lexington Railroad Company;

An act to amend the 3d section of an act, entitled "An act authorizing the sale of real estate and slaves in which there is a future contingent interest," approved August 23d, 1862;

An act to provide for advertising certain judicial sales in Jefferson county;

An act to exempt the wages of laborers who are *bona fide* housekeepers of this Commonwealth, with a family, from attachment or garnishee, not exceeding fifty dollars;

An act to amend the charter of the Irvine and Miller's Creek Turnpike Road and Bridge Company;

An act to incorporate the Alexander College of Burksville;

An act to amend an act, entitled "An act to amend the charter of the town of Harrodsburg;"

An act to amend the charter of Leesburg;

An act for the benefit of the county judge of Henry county;

An act for the benefit of common school district No. 50, in Mason county;

An act for the benefit of Wilson Morgan, sheriff of Clay county;

An act for the benefit of Thos. D. Grundy, sheriff of McCracken county;

An act to incorporate the Central Kentucky Medical Association;

An act to amend an act, entitled "An act revising the charter of the city of Paducah," approved February 11, 1871;

An act to amend section two of an act, entitled "An act to authorize McKee Lodge, No. 35, I. O. O. F., at Versailles, to issue bonds;"

An act to amend chapter 28 of the Revised Statutes, title "Crimes and Punishments;"

An act for the benefit of Joseph F. Perrie, of Mason county;

An act to amend an act, entitled "An act to incorporate the Bowling Green and Madisonville Railroad Company," approved March 22d, 1871;

An act for the benefit of the Citizens' Passenger Railway Company, of Louisville;

An act to incorporate the National Construction Company;

An act to authorize the Elizabethtown, Lexington, and Big Sandy Railway Company, and Chesapeake and Ohio Railway Company, to bridge the Big Sandy river;

An act to amend the charter of the city of Henderson;

An act to amend an act to incorporate the Contracting and Building Company, for the purpose of building, and aiding in building, railroads, bridges, and telegraph lines," approved March 4th, 1872;

An act to incorporate Brawner's Patent Levee Company;

An act to incorporate the Princeton, Marion, and Ohio River Railroad Company;

An act to amend an act creating a criminal court for the counties of Bracken, Pendleton, Harrison, Campbell, and Kenton;

An act to amend section 96 of the charter of the city of Louisville;

Resolution for the benefit of W. H. Stanley;

And enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Bourbon Building and Savings Association, of Paris.

An act legalizing certain orders of the Mercer county court.

An act in aid of the construction of a levee on the Mississippi river, in Fulton county.

An act to amend the charter of the Commonwealth Insurance Company, of Kentucky

An act to incorporate the New Castle and Gray Farm Turnpike Road Company;

An act to incorporate the Steele's Turnpike Road Company;

An act to incorporate the Kingston and Boone's Gap Turnpike Road Company, in Madison county;

An act to charter the Mouth of Drennon and Turner's Station Turnpike Road Company;

An act to charter the Lockport and Bethlehem Turnpike Road Company;

An act to incorporate the Bardstown and Fairfield Turnpike Road Company;

An act to amend the charter, and the amendments thereto, of the town of Stanford;

An act amending an act incorporating the Paducah Savings Bank;

An act to incorporate the First German Savings Bank of Louisville;

An act to legalize the judgments and orders of the Greenup county quarterly court at its March term, 1869;

An act to amend the charter of the town of Mt. Sterling;

An act for the benefit of Winchester Lodge, No. 20, A. Y. F. and Accepted Masons;

An act for the benefit of Clark county;

An act to amend an act incorporating the Goshen, Oldhamsburg and Sligo Turnpike Company;

An act to amend an act, entitled "An act to incorporate the Elizabethtown and Paducah Railroad Company, and the acts amendatory thereto;"

An act to regulate the running of ferries and ferry rates in the city of Covington;

An act to prohibit the sale of spirituous, vinous, or malt liquors in the town of Poplar Plains, in Fleming county;

An act authorizing the Buffalo Springs Cemetery Company to have lands condemned for their use;

An act for the benefit of Amos Davis, sheriff of Morgan county;

An act providing for the collection of railroad tax in Elliott county;

An act to authorize the Boone county court to appoint trustees for the Burlington burying-ground, and prescribing their duties;

An act to authorize the county court of Hickman county to raise money to build a new court-house in said county, in the town of Clinton;

An act to locate the county seat for Hickman county;

An act to incorporate the town of Linton, in Trigg county;

An act authorizing the Carter county court to appoint a commissioner and receiver of funds collected in said county for the purpose of meeting the subscription to the Lexington and Big Sandy Railroad Company;

An act to authorize the school commissioner of Hardin county to sell the property known as the Hardin County Male Seminary;

An act for the benefit of Washington county;

An act to amend the charter of Elizabethtown;

An act to require the clerk of the Kenton county court to make a cross-index of deeds and mortgages recorded at Covington;

An act to authorize the city of Henderson to issue bonds for railroad purposes;

An act to provide for voting by ballot in the election of Representatives in Congress;

An act to amend the charter of the Macpelah Cemetery Company, in Montgomery county;

An act to incorporate the Elm Spring Agricultural and Mechanical Association, of Fleming, Mason, and Lewis counties;

An act to incorporate the Christian Church of Russellville;

An act to incorporate Jefferson Manufacturing and Mining Company;

An act to incorporate Mount Carmel Baptist Church, in Muhlenburg county;

An act to incorporate the Castleberry Coal, Iron Mining, and Manufacturing Company;

An act to amend an act to incorporate the Farmers' and Traders' Bank of Shelbyville;

An act for the benefit of Samuel Sublett, of Woodford county;

An act to amend the charter of the Elizabethtown, Lexington, and Big Sandy Railroad Company;

An act to amend the charter of the Eastern Kentucky Railway Company;

An act to extend the time for the payment of railroad taxes in Bourbon county;

An act to incorporate the Hartford Calhoon, and Morganfield Railroad Company;

An act to repeal an act, entitled "An act to prevent the destruction of fish in Green river and its tributaries, so far as it applies to Martin's creek and Hurricane pond or slough, in Daviess county;"

An act to amend an act, entitled "An act to require the county courts to have one or more fire-proof vaults for the safe-keeping of public records in their respective counties;"

An act to authorize the members of the bar of the Kenton county court to elect a special judge;

An act to incorporate the Lancaster Benevolent Society;

An act for the benefit of H. S. Powell, of Jackson county;

An act to require the clerk of the Johnson county court to index certain order-books and other records in his office;

An act to provide for the payment of the expenses incurred in taking care of a pauper lunatic;

An act to amend the charter of the city of Ludlow;

An act to amend the charter of the Elizaville and Fairview Turnpike Road, in Fleming county;

An act to incorporate the Frankfort Building and Loan Association;

An act to amend an act, entitled "An act to amend an act, entitled 'An act to charter the Cabin Creek, Sand Hill, and Manchester Turnpike Road Company,'" approved March 15th, 1871;

An act to amend an act, entitled "An act to incorporate the Shepherdsville and Belmont Furnace Turnpike Road Company," approved March 14th, 1871;

An act to amend section 3, of chapter 102, of the Revised Statutes, title "Treasury Warrant Claims;"

An act for the benefit of J. W. Ferguson, late sheriff of Calloway county;

An act to incorporate the Evansville and Jackson Railroad Company;

An act for the benefit of Maria Breckinridge, of Henderson county;

An act to change the boundary line between the counties of Knox and Josh Bell;

And had found the same truly enrolled.

Said bills and resolution having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Cooper reported that the committee had performed that duty.

And then the Senate adjourned.

THURSDAY, MARCH 28, 1872.

The Hon. John G. Carlisle, regular Speaker, appeared, after a temporary absence, and took the Chair.

A message was received from the House of Representatives, announcing that they had passed bills, and concurred in a resolution, which originated in the Senate, of the following titles, viz:

An act to incorporate the town of Beattyville, in Lee county.

An act to amend an act to incorporate the town of Martinsburg.

An act to amend the charter of the Great Western Mining and Manufacturing Company.

An act for the benefit of J. A. Tague, F. E. Skidmore, W. Mahony, W. B. Gillis, and M. Hunter, sureties of James B. Cook, late sheriff of Trimble county.

An act for the protection of livery stable keepers in McLean county.

Resolution directing the Public Printer to print synopsis of the public acts.

That they had passed a bill and adopted a resolution of the following titles, viz:

An act to take the sense of the qualified voters of Boyle county in relation to liquor license in said county.

Resolution extending the present session of the Legislature until the 29th inst., at 1 o'clock, P. M.

Which was taken up, twice read, and concurred in.

Mr. Vories moved that a committee be appointed to examine and ascertain the amount of business before the enrolling committee, and report what assistance, if any, was required by said committee to enable them to complete their labors.

Which motion was adopted.

Whereupon the Speaker appointed Messrs. Talbott, Haggard, and J. W. Johnson, said committee.

After a short time Mr. Talbott reported that additional assistance was required by said committee, and presented the following communication from the clerk of the Committee on Enrollments:

Col. A. G. Talbott, Dr. Haggard, and J. W. Johnson:

GENTS: I find that not less than 200 House and Senate bills, not enrolled, are out—I suppose not less than one thousand pages of reading matter. I do not think the work could possibly be gotten through with under three or four days.

Respectfully,

R. G. BURTON,
Clerk Enrolling Committee of Senate.

FRANKFORT, KY., March 28, 1872.

Whereupon the Speaker added Messrs. Vories, Gatewood, Talbott, Darby, and J. W. Johnson to the Committee on Enrollments, to assist said committee in dispatching the business before them.

A message in writing was received from the Governor by Mr. Botts, Assistant Secretary of State.

Said message was taken up and read as follows, viz:

STATE OF KENTUCKY, EXECUTIVE DEPARTMENT,
FRANKFORT, March 28, 1872.

Gentlemen of the Senate:

I nominate for your advice and consent L. J. Bradford, B J. Webb, Zeb. Ward, W. C. P. Breckinridge, Dr. S. M. Hobbs, and William A. Hoskins, to be the Board of Visitors of the Agricultural and Mechanical College of Kentucky.

Respectfully,

P. H. LESLIE.

Resolved, That the Senate advise and consent to said nominations.

A message in writing was also received from the Governor by Mr. Botts, Assistant Secretary of State.

Said message was taken up and read as follows, viz:

STATE OF KENTUCKY, EXECUTIVE DEPARTMENT,
FRANKFORT, March 27, 1872.

Gentlemen of the Senate:

The Hon. Elijah C. Phister having given notice that he declined to accept the commission as one of the Commissioners to revise the Statutes, I herewith transmit to you, for your advice and consent, the name of Robert T. Davis, of the county of Bourbon, as a proper man to fill the vacancy occurring as aforesaid, he having been selected and recommended by the Governor and Judges of the Court of Appeals, as will appear from their nomination in writing, which accompanies this communication.

Respectfully,

P. H. LESLIE.

Gentlemen of the Senate:

The undersigned, Governor of Kentucky and Judges of the Court of Appeals, recommend, for your advice and consent, Robert T. Davis, of the county of Bourbon, as a fit and proper man to be appointed a Commissioner, under the act approved 10th March, 1871, entitled "An act to revise, digest, and compile the Statute Laws and Codes of Practice of Kentucky," and the act amendatory thereof, approved in March, 1872. The said Davis to be one of the Commissioners to revise the Statutes, in place of Hon. Elijah C. Phister, who declines to accept the appointment heretofore tendered to him.

Respectfully,

P. H. LESLIE,
Governor of Kentucky.
W. S. PRYOR,
M. R. HARDIN,
B. J. PETERS,
W. LINDSAY.

MARCH 27, 1872.

Resolved, That the Senate advise and consent to said nomination.

A message was also received from the Governor by Mr. Botts, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to authorize the Elizabethtown, Lexington, and Big Sandy Railway Company, and Chesapeake and Ohio Railway Company, to bridge the Big Sandy river.

An act to amend the charter of the Irvine and Miller's Creek Turnpike Road and Bridge Company.

An act for the benefit of common school district No. 50, in Mason county.

An act for the benefit of Wilson Morgan, sheriff of Clay county.

An act to amend the charter of Leesburg.

An act to amend section 7, chapter 105, of the Revised Statutes, in relation to weights and measures.

An act to amend section 2d of an act, entitled "An act to authorize McKee Lodge, No. 35, I. O. O. F., at Versailles, to issue bonds."

An act for the benefit of Joseph F. Perrie, of Mason county.

An act for the benefit of Thomas D. Grundy, sheriff of McCracken county.

An act to amend an act, entitled "An act to incorporate the Bowling Green and Madisonville Railroad Company," approved 22d March, 1871.

An act to exempt the wages of laborers who are bona fide housekeepers of this Commonwealth, with a family, from attachment or garnishee, not exceeding fifty dollars.

An act to amend the 3d section of an act, entitled "An act authorizing the sale of real estate and slaves in which there is a future contingent interest," approved August 23, 1862.

An act to amend an act, entitled "An act revising the charter of the city of Paducah," approved February 11, 1871.

An act to amend chapter 28 of Revised Statutes, title "Crimes and Punishments."

An act to provide for advertising of certain judicial sales in Jefferson county.

An act for the benefit of the county judge of Henry county.

An act to incorporate the Alexander College, in the town of Burksville.

An act to amend the charter of the city of Henderson.

An act to amend section 96 of the charter of the city of Louisville.

An act to incorporate the Central Kentucky Medical Association.

An act to amend the act creating a criminal court for the counties of Bracken, Pendleton, Harrison, Campbell, and Kenton.

An act to provide for the payment of the expenses incurred in taking care of a pauper lunatic.

An act to authorize the members of the bar of the Kenton county court to elect a special judge.

An act to incorporate Mount Carmel Baptist Church, in Muhlenburg county.

An act to amend the charter of the Elizabethtown, Lexington, and Big Sandy Railroad Company.

An act to incorporate the Elm Spring Agricultural and Mechanical Association of Fleming, Mason, and Lewis counties.

An act to charter the Mouth of Drennon and Turner's Station Turnpike Road Company.

An act to incorporate the Kingston and Boone's Gap Turnpike Road Company, in Madison county.

The rule adopted on yesterday prohibiting the consideration of any bills or resolutions was suspended by unanimous consent.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Chenoweth, from the Committee on Railroads—

An act to incorporate the Ohio Valley Contracting and Building Company, for the purpose of building, and aiding in building, railroads, bridges, and telegraph lines.

By Mr. McManama, from the Committee on Courts of Justice—

An act in relation to the collection of the turnpike road tax in Lewis county.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

On motion of Mr. McManama, a message was sent to the House of Representatives, asking leave to withdraw the announcement of their disagreement to the passage of a bill, which originated in the House of Representatives, entitled

An act to incorporate the Pendleton Building and Savings Association of Falmouth.

After a short time, said bill was handed in at the Clerk's desk.

Mr. McManama then moved to reconsider the vote by which said bill had been disagreed to.

Which motion was adopted.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

On motion of Mr. Talbott, leave of indefinite absence was granted to Mr. Sublett, Sergeant-at-Arms.

A message was received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Broadway Baptist Church, of Louisville.

An act to incorporate the Paducah and Hinklesville Gravel Road Company.

An act to amend the charter of the Clarksville and Princeton Railroad Company.

An act to establish a system of common schools in the town of Corydon, Henderson county.

An act to amend the charter of the Simpsonville and Buck Creek Turnpike Road Company, in Shelby county.

An act for the benefit of the Orangeburg and Tollsboro Turnpike Road Company, in Mason county.

An act to amend the charter of the town of Curdsville, in Daviess county.

An act to incorporate the Fry's Creek Turnpike Road Company, in Lincoln and Casey counties.

An act to incorporate the Silas and Townsend Turnpike Company.

An act to incorporate the Owingsville Cemetery Company.

An act to incorporate the Bank of Trenton, in Todd county.

An act to authorize the city of Hopkinsville and county of Christian to sell and transfer their stock in the Evansville, Henderson, and Nashville Railroad Company.

An act to incorporate the Louisville and Brownsboro Railway Company.

An act for the benefit of John Moore, jailer of Green county.

An act to authorize the Ohio and Mississippi Railway Company to take, hold, and convey real estate in the State of Kentucky.

An act to incorporate the Big Sandy Highway Bridge Company.

An act for the benefit of Lewis Plummer, jailer of Lewis county.

An act authorizing the presiding judge of the Breathitt county court to submit to the qualified voters of said county the propriety of imposing an ad valorm and capitation tax for the construction of a bridge across the North Fork of the Kentucky river, near the town of Jackson.

An act to prevent and punish certain trespasses in Scott and Woodford counties.

An act to amend the charter of the Madisonville and Shawneetown Straight-line Railroad Company.

An act for the benefit of A. S. Arnold, late sheriff of Hickman county.

An act to establish and provide for certain precincts and voting places in the city of Lexington and county of Fayette.

An act for the benefit of H. C. Thompson and W. T. Champion, of Livingston county.

An act for the benefit of Daniel Lewis, of Adair county.

An act to charter the Deposit Bank of Mt. Sterling.

An act for the appropriation of money.

An act to incorporate the Owensboro and Indiana Bridge Company.

Mr. Casey, from the Committee on Enrollments, reported that the committee had examined enrolled bills and resolutions, which originated in the Senate, of the following titles, viz:

An act to incorporate the town of Beattyville, in Lee county;

An act to incorporate the Central Kentucky Inebriate Asylum;

An act to amend the turnpike laws of Henry county;

An act to incorporate the town of Brandenburg, in Meade county;

An act to provide for the repairing of the Louisville and Nashville Turnpike Road;

An act to establish and incorporate the town of Norton, in Hopkins county;

An act to amend an act to incorporate the town of Martinsburg;

An act to amend the charter of the Great Western Mining and Manufacturing Company;

An act for the benefit of J. N. Tague, F. E. Skidmore, W. Mahoney, W. B. Gillis, and M. Hunter, securities of James B. Cook, late sheriff of Trimble county;

An act for the protection of livery stable keepers in McLean county;

An act for the benefit of the Farmers' Mutual Insurance Company;

An act to amend chapter 83 of the Revised Statutes, title "Revenue and Taxation;"

An act for the benefit of Warren county;

An act to amend an act to amend an act, entitled "An act for the incorporation and regulation of Fire, Marine, Health, Accident, Live Stock, and all other, except Life Insurance Companies," approved March 2d, 1870;

An act to authorize the counties of Trigg and Calloway to subscribe stock to railroads;

An act to provide for paying for indexing record books in the Warren circuit and county courts;

An act to amend the charter of the town of Midway;

An act for the benefit of J. M. Withrow;

An act for the benefit of Grant Green;

An act for the benefit of Fayette Hewitt;

An act for the benefit of Rufus D. Smith, of the county of Jessamine;

An act to incorporate the Pendleton Coal, Iron Mining, and Manufacturing Company;

An act to charter the Diamond Coal and Mining Company;

An act for the benefit of Polk Ditto, sheriff of Henry county;

An act to incorporate the Lee County Lumber, Mining, and Manufacturing Company;

An act to prevent the sale of spirituous liquors in the town of Burksville;

An act to incorporate the Citizens' Bridge Company;

An act for the protection of deer in Breathitt, Morgan, Magoffin, Elliott, and Wolfe counties;

An act to amend chapter 84, article 1, "Public Roads," of the Revised Statutes;

An act amendatory of the laws in relation to the city of Frankfort;

An act for the benefit of school district No. 1, of Ohio county;

An act to fix and regulate the times of holding the chancery court in Bracken, Pendleton, Campbell, and Kenton counties;

An act for the benefit of school district No. 60, in Scott county;

An act to incorporate the Christian Church Widows' and Orphans' Home;

An act for the benefit of John P. Barrett, sheriff of Ohio county;

Resolution to print and distribute, in pamphlet form, the general laws passed at the present session of the General Assembly;

Resolution directing Public Printer to print synopsis of public acts, &c.;

Resolution in relation to a uniform tax on tobacco by the Federal Government;

Resolution in relation to the Louisville and Portland Canal;

And enrolled bills and resolutions, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Pendleton Building and Savings Association, of Falmouth;

An act concerning the pauper lunatics of this Commonwealth;

An act to reduce into one, amend, and digest, the act and amendatory acts incorporating the town of North Middletown, in Bourbon county;

An act for the benefit of Maggie G. Roberts, of Montgomery county;

An act to exempt A. P. Boyes and others from working on any dirt roads in Harrison county;

An act to amend the charter of the Paducah and Gulf Railroad Company, approved February 26, 1869;

An act to increase the duties of the county attorney of Barren county;

An act to amend an act, entitled "An act to incorporate the Henderson Running Park Association," approved March 9th, 1868;

An act to authorize the county court of Trigg county to sell the poor-house therein;

An act for the benefit of the county and circuit court clerks of Boyd county;

An act regulating the time of listing property for local purposes in Washington county;

An act to change the time of holding the court of claims of Carter county;

An act to empower the trustees of the town of Cadiz to sell the old cemetery property not inclosed;

An act for the benefit of the Poplar Mountain Coal Company;

An act to amend an act chartering the Muldrow's Hill, Campbellsville, and Columbia Turnpike Road Company;

An act authorizing the Auditor to remit damages on delinquent property;

An act for the benefit of the Hillsboro and Wyoming Turnpike Road Company, in Fleming county;

An act to provide for the building of turnpike roads in Adair county;

An act for the benefit of the Elizaville and Elizaville Station Turnpike Road Company;

An act to prohibit the sale of ardent spirits in Breathitt and Powell counties;

An act to incorporate the trustees of the Orphanage of the Good Shepherd, in the city of Louisville;

An act to regulate official sales in Woodford county;

An act empowering the trustees of common schools in Campbell county to levy taxes for the purpose of buying lands, building, repairing, and furnishing school-houses;

An act to revise, amend, and reduce into one the acts pertaining to the district of Highlands, in the county of Campbell;

An act to incorporate the town of Cairo, in Henderson county;

An act to amend an act, entitled "An act to incorporate the Hawesville Cemetery Company," approved December 7th, 1850;

An act to amend an act, entitled "An act to incorporate the Union County Bank;"

An act to incorporate the Mercantile Bank of Louisville;

An act to amend an act, entitled "An act to reduce into one the several acts in regard to the town of Lancaster, and for other purposes," approved March 9, 1867;

An act for the benefit of Webster county;

An act to confer upon the town marshal of Parksville, in Boyle county, the rights, duties, and powers of constables in certain civil cases;

An act to incorporate the Good Templars' Joint Stock Company, of the town of Monterey, in Owen county;

An act to incorporate the Church Aid Society;

An act authorizing Alexander Combs to erect a mill-dam across the North Fork of the Kentucky river;

An act authorizing W. W. Combs to erect a mill-dam across the North Fork of the Kentucky river;

An act to incorporate the Atlantic and Ohio River Railway Company;

An act for the benefit of Wm. Risner and Charles Menix, sureties of Stephen Howard, sheriff of Magoffin county;

An act for the benefit of John P. McAndrew, of Lewis county;

An act to charter the Young Men's Real Estate, Building, and Accumulating Association, of Louisville;

An act to incorporate the Louisville Collegiate Institute;

An act to amend an act, entitled "An act to amend chapter 84 of the Revised Statutes, title "Roads and Passways;"

An act to authorize a chancellor to order survey of land;

An act for the benefit of W. S. Shepperd, of Pulaski county;

An act to authorize the formation of corporations for manufacturing, mining, transportation, mechanical, or chemical purposes, in Carroll county;

An act to incorporate the Ohio Contracting and Building Company, for the purpose of building, and aiding in building, railroads, bridges, and telegraph lines;

An act to amend an act, entitled "An act to incorporate the Kentucky and Great Eastern Railway Company," approved March 21st, 1870;

An act to incorporate the Bank of Webster;

An act to pay military claims reported by the Quarter-Master General;

An act in relation to the collection of the turnpike road tax in Lewis county;

An act for the benefit of J. B. Ross, former sheriff of Ballard county;

An act to incorporate the Anderson, Franklin, and Salvisa Stock, Agricultural, and Mechanical Association;

An act to prohibit the sale of liquor in Letcher county;

An act to declare the South Fork of Quicksand creek, and other creeks in Breathitt county, navigable streams;

An act for the benefit of B. F. Mullikin, of Robertson county;

An act to provide for the appointment of deputy constables in the city of Covington;

An act to amend an act approved March 2d, 1872, entitled "An act to amend chapter 50, Revised Statutes, entitled 'Inclosures and Certain Trespasses;'"

An act to amend an act, entitled "An act for the benefit of Boone county," approved January 30th, 1871;

An act to change the time of holding the court of claims in the county of Robertson;

An act to amend an act establishing a graded road leading from London, in Laurel county, to Booneville, in Owsley county;

An act to amend an act to authorize commissioners to sell the poor-house farm of Henry county;

An act for the benefit of H. Hill, of Barren county;

An act for the benefit of Trimble county;

An act to prevent deer-driving in the counties of Estill, Jackson, Perry Harlan, Butler, Grayson, and Edmonson;

An act to charter Brother's Lodge, No. 132, of the Independent Order of Odd Fellows, in the city of Owensboro;

An act to incorporate the Colored Methodist Episcopal Church in America;

An act to incorporate the St. Augustine Cemetery, near Lebanon, Marion county;

An act to incorporate the Colored Agricultural and Mechanical Association of Woodford county;

An act to incorporate the Joint Stock Agricultural and Mechanical Association of Colored People, of Madison county;

An act to amend the charter of Kingston, in Trimble county;

An act to incorporate Needham Lodge, No. 174, in Caverna, Hart county, I. O. G. T.;

An act to incorporate the Southwestern Kentucky Agricultural and Stock-raising Association;

An act to incorporate the Pendleton County Stock Association;

An act to incorporate the Transylvania Printing and Publishing Company, of Lexington, Kentucky;

An act to incorporate the Paducah Universal Deposit and Trading Bank;

An act regulating defenses in actions of trespass in Carroll and Trimble counties;

An act to amend an act, entitled "An act to incorporate the town of Hinklesville, in Ballard county," approved March 6, 1868;

An act for the benefit of John S. Mattingly, sheriff of Meade county;

An act to regulate the running of trains on the Louisville and Nashville Railroad, in the town of Elizabethtown;

An act to incorporate the Cumberland River and Big Sandy Railroad Company;

An act to incorporate the Kentucky Southern Railroad Company;

An act to amend the charter of the city of Covington;

An act to authorize Glasgow Lodge, No. 65, Independent Order of Odd Fellows, to issue bonds and buy a lot of land;

An act to amend the act incorporating the town of Quincy, in Lewis county, extending the limits of said town, and prohibiting the sale of spirituous, vinous, or malt liquors, and for other purposes;

An act for the benefit of the clerks of the county courts of Lewis, Clark, and Montgomery counties;

An act to close certain alleys in the town of Falmouth;

An act to amend an act, entitled "An act to incorporate the Eastern Kentucky Marble, Lithograph Stone, and Mining Company," approved March 21st, 1870;

An act for the benefit of Norman Sebree, of Boone county;

An act to amend the charter of the Valley Turnpike and Gravel Road Company;

An act for the benefit of W. S. Miller, jr., marshal of the town of Lancaster;

Resolution providing for the purchase of a library for the Kentucky Penitentiary;

Resolution extending the present session of the General Assembly;

Resolution amendatory of a resolution on the death of Charles S. Morehead, approved February 18th, 1869;

And had found the same truly enrolled.

Said bills and resolutions having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Casey reported that the committee had performed that duty.

A message was received from the Governor by Mr. Botts, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to incorporate Brawner's Patent Levee Company.

An act to incorporate the Westport, Carrollton, and Ghent Railroad Company.

An act to incorporate the National Construction Company.

An act to incorporate the Princeton, Marion, and Ohio River Railroad Company.

An act to provide for the repairing of the Louisville and Nashville Turnpike Road, and to amend the charter thereof.

An act for the protection of deer in Breathitt, Morgan, Magoffin, Elliott, and Wolfe counties.

An act for the benefit of Rufus D. Smith, of the county of Jessamine.

An act to prevent the sale of spirituous liquors in the town of Burksville.

An act for the benefit of school district No. 1, of Ohio county.

An act for the benefit of Polk Ditto, sheriff of Henry county.

An act amendatory of the laws in relation to the city of Frankfort.

An act for the benefit of school district No. 60, in Scott county.

An act to fix and regulate the times of holding the chancery court in Bracken, Pendleton, Campbell, and Kenton counties.

An act to incorporate the Citizens' Bridge Company.

An act to amend chapter 84, article 1, "Public Roads," of the Revised Statutes.

An act for the benefit of John P. Barrett, sheriff of Ohio county.

An act to incorporate the Christian Church Widows' and Orphans' Home.

On motion, the Senate adjourned till to-morrow morning at eleven o'clock.

FRIDAY, MARCH 29, 1872.

A message was received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to authorize the county court of Hickman county to raise money to build a new court-house in said county, in the town of Clinton.

An act to legalize the judgments and orders of Greenup county quarterly court at its March term, 1869.

An act to incorporate the Steele's Turnpike Road Company.

An act to incorporate Bourbon Building and Savings Association, of Paris.

An act authorizing the Carter county court to appoint a commissioner and receiver of the funds collected in said county for the purpose of meeting the subscription to the Lexington and Big Sandy Railroad Company.

An act to incorporate the Bardstown and Fairfield Turnpike Road Company.

An act to incorporate the town of Linton, in Trigg county.

An act to authorize the Boone county court to appoint trustees for the Burlington burying-ground, and prescribing their duties.

An act to incorporate the Castleberry Coal, Iron Mining, and Manufacturing Company.

An act to amend the charter of the city of Ludlow.

An act to incorporate the Evansville and Jackson Railroad Company.

An act to incorporate the Hartford, Calhoon, and Morganfield Railroad Company.

An act concerning pauper lunatics of this Commonwealth.

An act for the benefit of H. Hill, of Barren county.

An act for the benefit of Trimble county.

An act to amend an act, approved March 2, 1872, entitled "An act to amend chapter 50, Revised Statutes, entitled 'Inclosures and Certain Trespasses.'"

An act to prevent deer-driving in the counties of Estill, Jackson, Perry, Harlan, Butler, Grayson, and Edmonson.

An act to amend an act to authorize commissioners to sell the poor-house farm of Henry county.

An act to declare the South Fork of Quicksand creek, and other creeks in Breathitt county, navigable streams.

An act for the benefit of J. B. Ross, former sheriff of Ballard county.

An act to prohibit the sale of liquor in Letcher county.

An act to amend an act, entitled "An act for the benefit of Boone county," approved January 30, 1871.

An act to change the time of holding the court of claims in the county of Robertson.

An act to incorporate the New Castle and Gray Farm Turnpike Road Company.

An act to incorporate the Pendleton Building and Savings Association of Falmouth.

A message in writing was received from the Governor by Mr. Botts, Assistant Secretary of State.

Said message was taken up and read as follows, viz:

STATE OF KENTUCKY, EXECUTIVE DEPARTMENT,
FRANKFORT, March 29, 1872.

Gentlemen of the Senate:

I hereby nominate for your advice and consent the following persons as suitable to be commissioned as notaries public, viz:

Samuel E. Smith, State at large.

R. G. Burton, Madison county.

Respectfully,

P. H. LESLIE.

Resolved, That the Senate advise and consent to said nominations.

Mr. Connor, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Agricultural and Mechanical Association of Colored People, of Shelby county;

An act to incorporate the J. M. S. McCorkle Lodge, No. 355, of Ancient York Free Masons;

An act to amend the charter of the Louisville, Memphis, and New Orleans Railway Company;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Connor reported that the committee had performed that duty.

A message was received from the Governor by Mr. Botts, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills and resolutions, which originated in the Senate, of the following titles, viz:

An act to incorporate the Kentucky Agricultural and Mechanical Society at Lexington.

An act to incorporate the Richmond Mining Company.

An act to incorporate Franklin Lodge, No. 28, F. A. M., in Boyle county

An act to charter Brothers' Lodge, No. 132, of the Independent Order of Odd Fellows, in the city of Owensboro.

An act to incorporate the Colored Methodist Episcopal Church in America.

An act to incorporate the St. Augustine Cemetery, near Lebanon, Marion county.

An act to incorporate the Colored Agricultural and Mechanical Association of Woodford county.

An act to incorporate the Joint Stock Agricultural and Mechanical Association of Colored People, of Madison county.

An act for the benefit of the Farmers' Mutual Insurance Company.

An act for the benefit of J. M. Withrow.

An act for the benefit of Fayette Hewitt.

An act to amend an act, entitled "An act for the incorporation and regulation of Fire, Marine, Health, Accident, Live Stock, and all other, except Life Insurance Companies," approved March 12, 1870.

An act to amend chapter 83 of the Revised Statutes, title "Revenue and Taxation."

An act to amend an act to incorporate the town of Martinsburg.

An act for the benefit of Grant Green.

An act for the protection of livery stable-keepers in McLean county.

An act to amend the charter of the town of Kingston, in Trimble county.

An act to incorporate Needham Lodge, No. 174, in Caverna, Hart county, I. O. G. T.

An act to incorporate the Southwestern Kentucky Agricultural and Stock-raising Association.

An act to incorporate the Pendleton County Stock Association.

An act to incorporate the First Presbyterian Church of Ludlow, Kenton county.

An act regulating defenses in actions of trespass in Carroll and Trimble counties.

An act to amend an act, entitled "An act to incorporate the town of Hinklesville, in Ballard county," approved March 6, 1868.

An act to regulate the running of trains on the Louisville and Nashville Railroad in the town of Elizabethtown.

An act to amend the charter of the city of Covington.

An act to authorize Glasgow Lodge, No. 65, Independent Order of Odd Fellows, to issue bonds and buy a lot of land.

An act to incorporate the Anderson, Franklin, and Salvisa Stock, Agricultural, and Mechanical Association.

An act to incorporate the town of Beattyville, in Lee county.

An act to incorporate the Lee County Lumbering, Mining, and Manufacturing Company.

An act to incorporate the Pendleton Coal, Iron Mining, and Manufacturing Company.

An act to incorporate the Exchange Bank and Tobacco Warehouse Company.

An act for the benefit of J. N. Tague, F. E. Skidmore, W. Mahoney, W. B. Gillis, and M. Hunter, securities of James B. Cook, late sheriff of Trimble county.

Resolution in relation to a uniform tax on tobacco by the General Government.

Resolution directing Public Printer to print synopsis of public acts, &c.

Resolution in relation to the Louisville and Portland Canal.

A message was received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills and resolutions, which originated in the House of Representatives, of the following titles, viz:

An act to prohibit the sale of spirituous, vinous, or malt liquors in the town of Poplar Plains, in Fleming county.

An act to amend the charter, and the amendments thereto, of the town of Stanford.

An act to incorporate the Christian Church of Russellville.

An act to amend an act to incorporate the Farmers' and Traders' Bank of Shelbyville.

An act to incorporate the Frankfort Building and Loan Association.

An act for the benefit of Maria Breckinridge, of Henderson county.

An act to amend an act, entitled "An act to incorporate the Shepherdsville and Belmont Furnace Turnpike Road Company," approved March 14, 1871.

An act to change the boundary line between the counties of Knox and Josh Bell.

An act to amend an act, entitled "An act to amend an act, entitled 'An act to charter the Cabin Creek, Sand Hill, and Manchester Turnpike Road Company,'" approved March 15, 1871.

An act to incorporate the Lancaster Benevolent Society.

An act to amend section 3, of chapter 102, of the Revised Statutes, title "Treasury Warrant Claims."

An act for the benefit of J. W. Ferguson, late sheriff of Calloway county.

An act to amend the charter of the Elizaville and Fairview Turnpike Road, in Fleming county.

An act to amend the charter of the Eastern Kentucky Railway Company.

An act to amend an act, entitled "An act to incorporate the Elizabethtown and Paducah Railroad Company, and the acts amendatory thereto."

An act for the benefit of Clark county.

An act legalizing certain orders of the Mercer county court.

An act authorizing the Buffalo Springs Cemetery Company to have lands condemned for their use.

An act to amend the charter of Elizabethtown.

An act to authorize the school commissioner of Hardin county to sell the property known as the Hardin County Male Seminary.

An act to amend the charter of the town of Mt. Sterling.

An act providing for the collection of railroad tax in Elliott county.

An act to locate the county seat for Hickman county.

An act for the benefit of H. S. Powell, of Jackson county.

An act to require the clerk of the Kenton county court to make a cross-index of deeds and mortgages recorded at Covington.

An act for the benefit of Amos Davis, sheriff of Morgan county.

An act to authorize the city of Henderson to issue bonds for railroad purposes.

An act for the benefit of Winchester Lodge, No. 20, A. Y. F. and A. Masons.

An act to charter the Lockport and Bethlehem Turnpike Road Company.

An act to amend the charter of the Commonwealth Insurance Company.

An act for the benefit of Samuel Sublett, of Woodford county;

An act to provide for voting by ballot in the election of Representatives in Congress.

An act concerning the settlement of the accounts of Jordan Clark and Thomas P. Smith, late receivers of the Louisville chancery court.

An act to require the clerk of the Johnson county court to index certain order books and other records in his office.

An act to repeal an act, entitled "An act to prevent the destruction of fish in Green river and its tributaries," so far as it applies to Martin's creek and Hurricane pond or slough, in Daviess county.

An act to amend an act, entitled "An act to require the county courts to have one or more fire-proof vaults for the safe-keeping of the public records in their respective counties."

An act to incorporate the Harrodsburg and Chaplin River Turnpike Road Company.

An act for the benefit of Washington county.

An act to regulate the running of ferries and ferry rates in the city of Covington.

Messrs. Pope, Chenoweth, and Vories were appointed a committee on the part of the Senate, to act in conjunction with a similar committee appointed on the part of the House of Representatives, to wait upon the Governor and ascertain whether he had any further communication to make to this General Assembly.

After a short time, Mr. Pope reported that the committee had performed that duty, and that the Governor had no further communication to make.

After an interchange of messages between the two Houses in relation to the completion of their legislative business and their readiness to adjourn, on motion, the Speaker declared the Senate adjourned until the 7th day of January, 1873, at 12 o'clock, M.

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LIST OF SENATORS AND OFFICERS,

Showing District Represented, Term, Name, Post-office Address, County, Occupation, and Age.

DIST.	TERM.	NAME.	POST-OFFICE.	COUNTY.	OCCUPATION.	AGE.
	4 years	John G. Carlisle	Covington	Kenton	Lawyer	37
11th	4 years	John S. Barlow	Cave City	Barren	Farmer	68
38th	2 years	Robert Boyd	London	Laurel	Lawyer	38
15th	2 years	R. A. Burton	Lebanon	Marion	Farmer	37
6th	4 years	E. P. Campbell	Hopkinsville	Christian	Lawyer	38
24th	2 years	James B. Casey	Covington	Kenton	Commission Merchant	43
19th	2 years	W. H. Chelf	Greensburg	Green	Lawyer	37
20th	2 years	J. Q. Chenoweth	Harrodsburg	Mercer	Lawyer	32
5th	4 years	James F. Clay	Henderson	Henderson	Lawyer	31
29th	2 years	Harrison Cockrill	Irvine	Estill	Farmer	45
9th	2 years	Wm. L. Conklin	Litchfield	Grayson	Lawyer	59
28th	2 years	G. W. Connor	Owingsville	Bath	Merchant	38
34th	4 years	John E. Cooper	West Liberty	Morgan	Lawyer	36
4th	4 years	F. W. Darby	Princeton	Caldwell	Lawyer	31
23d	2 years	J. H. Dorman	Owenton	Owen	Lawyer	40
22d	4 years	William P. Duvall	Stamping Ground	Scott	Farmer	56
17th	2 years	W. McKee Fox	Somerset	Pulaski	Lawyer	34
12th	4 years	W. W. Frazer	Allensville	Todd	Lawyer	38
13th	4 years	John J. Gatewood	Scottville	Allen	Lawyer	41
2d	4 years	Jesse C. Gilbert	Benton	Marshall	Lawyer	40
16th	4 years	D. R. Haggard	Burksville	Cumberland	Physician	44
1st	4 years	H. S. Hale	Mayfield	Graves	Lawyer	36
30th	4 years	Thomas F. Hargis	Carlisle	Nicholas	Lawyer	----
7th	2 years	Edwin Hawes	Yelvington	Daviess	Farmer	64
10th	2 years	J. B. Haydon	Elizabethtown	Hardin	Farmer	59
3d	4 years	G. A. C. Holt	Murray	Calloway	Lawyer	----
8th	2 years	John W. Johnson	Calhoon	McLean	Merchant	48
14th	2 years	William Johnson	Bardstown	Nelson	Lawyer and Farmer	54
33d	4 years	A. L. Martin	Prestonsburg	Floyd	Lawyer	----
27th	2 years	A. L. McAfee	Nicholasville	Jessamine	Lawyer	44
26th	4 years	O. D. McManama	Williamstown	Grant	Lawyer	38
37th	4 years	Alfred T. Pope	Louisville	Jefferson	Lawyer	31

LIST OF SENATORS AND OFFICERS—Continued.

DIST.	TERM.	NAME.	POST-OFFICE.	COUNTY.	OCCUPATION.	AGE.
32d	2 years	K. F. Prichard	Catlettsburg	Boyd	Lawyer	35
35th	4 years	E. D. Standeford	Louisville	Jefferson	Farmer	39
18th	2 years	A. G. Talbott	Danville	Boyle	Farmer	63
21st	2 years	W. L. Vories	Smithfield	Henry	Farmer	54
36th	4 years	Ben. J. Webb	Louisville	Jefferson	Manufacturer	57
31st	2 years	Emery Whitaker	Maysville	Mason	Lawyer	----
25th	2 years	Thomas Wrightson	Newport	Campbell	Printer	49
		J. R. Hawkins, Clerk	Frankfort	Franklin	Physician	66
		Jno. L. Sneed, Assistant Clerk	Frankfort	Franklin	Clerk	26
		D. D. Sublett, Serg'nt-at-Arms	Salyersville	Magoffin	Lawyer	38
		J. B. Reed, Door-keeper	Louisville	Jefferson	Lawyer	41
		R. G. Burton, Enrolling Clerk	Richmond	Madison	Merchant	42

INDEX

TO THE

JOURNAL OF THE SENATE.

REGULAR SESSION, DECEMBER, 1871-'2.

Absence, leave of, granted to Mr. Boyd ---- 18
Mr. Boyd ---- 695
Mr. Burton ---- 290
Mr. Campbell ---- 319
Messrs. Campbell and Gilbert ---- 590
Messrs. Casey and Wrightson ---- 326
Messrs. Chelf, Hale, and Hargis ---- 394
Messrs. Cockrill, Conklin, Hargis, and McManama ---- 737
Messrs. Cooper, J. W. Johnson, Haydon, and Boyd ---- 404
Mr. Cooper ---- 79
Mr. Frazer ---- 319
Mr. Frazer ---- 601
Messrs. Hale, Chelf, and Boyd ---- 795
Mr. McManama ---- 140
Mr. Sublett, Sergeant-at-Arms ---- 933
Mr. Talbott ---- 316
Mr. Webb ---- 166
Mr. Whitaker ---- 203
Messrs. Wrightson and John W. Johnson ---- 157

Academic Institute—see Franklin.

Academy, Columbus Male and Female, in Hickman county, bill to incorporate the, 541, 878

Eddyville Male and Female, in Lyon county, bill to charter the, 541, 590, 625, 649

Academy, Harrodsburg, act to amend act transferring the property of, &c. ---------- 392
Lee, bill to establish an institution of learning in the town of Hardinsville, in Shelby county, to be known as the ---------- 542, 660, 690, 794
Actions of trespass—see Trespass.
Acts of 1869-'70—see Chapter 853.
Acts of 1871—see Chapters 1107, 1108, and 1175.
Adair county, bill to provide for the building of turnpike roads in ---------- 842, 937
Adair county—see Lewis, Daniel.
Adair Hotel Company, bill to incorporate the ---------- 575, 668
Adair, Governor—see Resolution, joint.
Adams, William, and son, of Magoffin county, bill for the benefit of ---------- 836
Adams Lodge—see Lodge.
Adjutant General, report of ---------- 344
Advertisement—see Sheriffs' and commissioners' sales of real estate.
Advertisment of judicial sales—see Jefferson county.
Agent—see Auditor's Agent.
Agricultural College—see Resolution, joint.
Agricultural and Mechanical Association of Colored People, of Shelby County—see Association.
Agricultural and Mechanical College, Board of Visitors nominated for ---------- 930
Agricultural and Mechanical—see Association.
Albany—see Town.
Allen, William S., sheriff of Breathitt county, bill for the benefit of ---------- 730, 841
Allen county, bill to change the from the 6th to the 4th judicial district, 59, 61, 135, 193
Allen county—see Court, circuit, of Allen.
Allensville—see Road, turnpike.
Alexander College—see College.
Alexandria and Flagg Spring—see Road, turnpike.
America—see Bank of America.
American Printing House for the Blind, bill to amend act to amend the charter of the ---------- 345, 454, 619, 645, 666
American Printing House for the Blind ---------- 629
American Woman Suffrage Association, memorial of ---------- 489, 602
Ancient Governor—see Clark, Daniel.
Ancient Governor, Daniel Clark—see Resolution, joint.
Anderson county—see Board of Internal Improvement.
Anderson, Franklin, and Salvisa Stock, Agricultural, and Mechanical—see Association.
Antioch—see Town.
Appeal from decision of the Chair by Mr. Prichard ---------- 697
Appropriation bill, general—see Money.
Arnett, Farish, sheriff of Magoffin county, bill for the benefit of ---------- 460, 591, 625, 648
Arnett, Farish, sheriff of Magoffin county, bill for the benefit of ---------- 777, 839
Arnold, A. S., late sheriff of Hickman county, bill for the benefit of, 778, 816, 860, 899, 934
Asher, Dillon, jailer of Josh Bell county, act for the benefit of ---------- 600, 792, 816, 821
Ashland—see Bank of Ashland.
—see Court, police.
—see Town.

Assessors, bill prescribing additional duties for the ---------- 861, 868
Association, Agricultural and Mechanical, act to incorporate, at the town of Walton, in the county of Boone ---------- 405, 638
Anderson, Franklin, and Salvisa Stock, Agricultural, and Mechanical, bill to incorporate the ---------- 555, 877, 939, 945
American Woman Suffrage, memorial of ---------- 489, 602
Central Kentucky Stock, Agricultural, and Mechanical, in Boyle county, act to amend the charter of the ---------- 421, 554, 594, 629
Bourbon Building and Savings, bill to incorporate the, 95, 141, 143, 320, 543, 603, 804, 925, 942
Central Kentucky Medical, act to incorporate the ---------- 682, 860, 924, 932
Christian County Agricultural and Mechanical, act to change the time for the election of president and directors of the ---------- 411, 554, 594, 628
Clark County Agricultural, bill to amend act to incorporate the, 369, 380, 416, 430
Colored Agricultural and Mechanical, of Woodford county, bill to incorporate the ---------- 620, 877, 939, 944
Colored People, Agricultural and Mechanical, of Shelby county, bill to incorporate the ---------- 555, 877, 944
Colored People, Joint Stock Agricultural and Mechanical, of Madison county, bill to incorporate the ---------- 620, 877, 939, 944
Elm Spring Agricultural and Mechanical, of Fleming, Mason, and Lewis counties, bill to incorporate the ---------- 555, 877, 927, 932
Falls City, for the Improvement of the Breeds of Stock, act to incorporate the ---------- 597, 710, 761, 794
Frankfort Building and Loan, bill to incorporate the ---- 842, 878, 928, 946
Good Templars' Widows' and Orphans' Benefit, bill to incorporate the, 576, 688, 708
Good Templars' Widows' and Orphans' Benefit, bill to incorporate the, 718, 739
Henderson Running Park, bill to amend act to incorporate the, 777, 814, 937
Kentucky Agricultural and Mechanical, at Lexngton, bill to incorporate the ---------- 657
Kentucky, for the Improvement of the Breed of Stock, bill to amend the charter of the ---------- 620, 659, 690, 736
Lexington Building and Accumulating Fund, act to incorporate the, 237, 284, 465, 499, 556
Madison County Stock, Agricultural, and Mechanical, bill to change the time of electing the officers of the ---------- 664, 773, 817, 843
Maysville Building and Savings, act to incorporate the 599, 718, 760, 780
Pendleton Building and Savings, of Falmouth, bill to incorporate the, 103, 142, 554, 612, 853, 933, 936, 943
Pendleton County Stock, bill to incorporate the ---------- 621, 877, 940, 945
Protective, of Kentucky, bill to incorporate the ---------- 278, 323, 599
Southern Park, bill to establish the ---------- 597, 676, 760, 795
Southwestern Kentucky Agricultural and Stock-raising, bill to incorporate the ---------- 620, 877, 940, 945

Association, Walton Agricultural and Mechanical, in Boone county, bill incorporating the 180, 186
Young Men's Real Estate, Building, and Accumulating, bill to charter the 886, 897, 938
Asylum, Central Kentucky Inebriate, act to incorporate the 461, 547, 585, 902, 935
Cleaveland Orphan, bill for the benefit of the 391, 415
Cleaveland Orphan, act for the benefit of the 391, 415, 536, 537, 637
Deaf and Dumb at Danville, act for the benefit of the 123, 841, 881, 890
Eastern Lunatic, annual report of 86
Eastern Lunatic, John R. Cleary appointed manager of 194
Eastern Lunatic, James A. Grinstead appointed manager of 420
Eastern Lunatic, Wm. Talbott appointed manager of 420
Eastern and Western Lunatic, act to amend act for the benefit of the, 206, 390, 406
Lunatic, and other institutions of public charity, bill relating to the 350, 396, 424, 770
Third Lunatic, act to provide for the location and erection of the, 292, 361, 436, 450, 456, 475, 478, 494
Western Lunatic, E. R. Cook appointed manager of 353
—see Institution for the Deaf and Dumb.
Atlantic Ocean and Mississippi river, memorial relative to water communication between 354
Atlantic and Ohio River—see Railway Company.
Attachment—see Wages of laborers.
Attorney, assistant—see Kenton county.
Attorney, county—see Barren county.
Attorneys, county, bill to amend act to fix the fees of 351, 449, 422, 431
Attorneys, county—see Fees.
Auditor, bill authorizing the, to remit damages on delinquent property 842, 937
communication from, in regard to receipts and disbursements of the Treasury during a certain period 501
—see Clerks of county courts.
—see Warren county.
Auditor's Agent, act to continue the office of 809
Auditor's office, act to promote public service in the 765, 783, 800
Auditor's statement of the condition of the Treasury 148
Augusta—see City of Augusta.
—see Town.
Augusta and Dover—see Road, turnpike.
Augusta and Minerva—see Road, turnpike.
Austin, James, appointed receiver of public moneys for the land district west of the Tennessee river 170
Back creek—see Paint Lick creek.
Bank of America, of the city of Louisville, bill to amend the charter of the, 180, 222, 250, 325
of Ashland, act for the benefit of the 599
Caseyville Deposit, of Union county, bill to incorporate the, 289, 468, 515, 524, 577
Central Savings, of Louisville, act to amend the charter of the, 392, 691, 716, 748

Bank, Christian County, bill to incorporate the ---- 300, 506, 595, 637
of Commerce, act to incorporate the ---- 599, 692, 776, 875
of Commerce, of Louisville, act to incorporate the ---- 66, 276, 743, 816
Commercial, of Lebanon, bill to incorporate the ---- 277, 304, 606, 704, 794
Commercial, of Kentucky, bill for the benefit of the ---- 693, 760, 804, 883, 905
Deposit, of Carrollton, act to incorporate the ---- 292, 692, 756, 789, 808
Deposit, of Mount Sterling, bill to incorporate the ---- 679, 805, 860, 899, 935
Farmers' and Traders', of Shelbyville, bill to amend act to incorporate the, 679, 805, 885, 927, 946
First German Savings, of Louisville, bill to incorporate the ---- 693, 804, 925
German Insurance, act to incorporate the ---- 460, 692, 716, 748
Greensburg Deposit, act to incorporate ---- 599, 692, 709, 760, 780
of Kentucky, and Bank of Louisville, statement of the condition of ---- 86
of Kentucky and Bank of Louisville—see Resolution, joint, to appoint committee to examine.
of Kentucky, act to amend the charter of the ---- 228, 276, 322, 344, 454
of Kentucky, report of committee appointed by the Commissioners of the Sinking Fund in regard to ---- 321
of Kentucky—see Resolution, joint.
of Kentucky, Farmers', act for the benefit of the ---- 460, 757, 790, 808
of Kentucky, Northern, act for the benefit of the ---- 276, 304, 750
of Kentucky, Northern, John B. Payne and H. T. Duncan appointed directors of, 468
Market, of Louisville, bill to incorporate ---- 504, 691, 748
Market Street, of Louisville, act to incorporate the ---- 322, 716
Mercantile, of Louisville, bill to incorporate the ---- 693, 759, 900, 938
North Middletown Deposit, bill to amend act to incorporate the, 289, 468, 499, 556
of Owen, act to incorporate the ---- 277, 692, 743, 789, 808
Owensboro Savings, bill to amend the charter of the ---- 180, 282, 322, 352
Paducah Savings, bill amending act incorporating the ---- 693, 858, 860, 925
Paducah Universal Deposit and Trading, bill to incorporate the, 693, 759, 901, 940
People's, act to amend act to establish the ---- 393, 692, 716, 748
Shippers' Tobacco, act to incorporate the ---- 599, 704, 760, 780
Smith's Grove Deposit, bill to incorporate the ---- 289, 468, 515, 524, 577
Traders', bill to amend act to incorporate the ---- 693, 757, 806, 820
of Trenton, in Todd county, bill to incorporate the ---- 705, 757, 883, 934
Union County, bill to amend act to incorporate the ---- 693, 759, 900, 938
of Uniontown, act to incorporate the ---- 292, 692, 743, 789, 808
Uniontown Deposit, act to incorporate the ---- 599, 692, 756, 789, 808
of Webster, bill to incorporate the ---- 778, 879, 900, 939
Western German Savings, of Louisville, act to incorporate the, 96, 276, 295, 322, 344, 454
Bank and Insurance Company—see German Bank and Insurance Company.
Bank stock, bill to subject to taxation for county and municipal purposes ---- 718, 801
Bank and Tobacco Warehouse Company—see Exchange Bank.
Bank and Warehouse Company—see Western Tobacco.
Bank, State—see Commissioners of the Sinking Fund.
Bank Lick—see Fish.
Bank Lick and Lexington Road Junction—see Roads, turnpike.

Banking Company—see South and West.
Banking companies, act to provide for the organization and regulation of, &c.--- 682, 782
Bail—see Code of Practice, Criminal.
Bail bonds, bill regulating the taking of---------- 268, 297, 389
Baker, A. Q., late sheriff of Boone county, act for the benefit of---------- 836
Baker, Marion, of Webster county, bill for the benefit of---------- 115, 132
Ballard county, bill to provide for the submission to the voters of, the question of the annexation of a portion of, to Hickman county ------- 598, 782
—see Black, Henry G.
—see Court of common pleas.
—see Courts, quarterly, of Ballard.
—see Hill, Mrs. Rebecca C.
—see Shellburn, Monroe T.
—see Usher, Harvey.
Ballardsville and Christiansburg—see Road, turnpike.
Ballot, bill to provide for voting by, in the election of Representatives in Congress, 515, 594, 727, 738, 783, 886, 926, 947
Bardstown—see Road, public.
Bardstown—see Town.
Bardstown and Fairfield—see Roads, turnpike.
Bardstown and Green River—see Road, turnpike.
Barlow, John S., added to the Committee on Claims---------- 781
Barlow City—see Town.
Baptist Church of Lick Creek—see Church.
Barren circuit court—see Court, circuit, of Barren.
Barren county, bill for the benefit of---------- 408
act to increase the duties of the county attorney of ------- 763, 838, 937
—see Hill, H.
—see School districts.
—see Smith, D. C.
court—see Court, county, of Barren.
Barrett, John P., sheriff of Ohio county, and his securities, bill for the benefit of, 555, 591, 626, 649, 921, 922, 936, 941
Bath circuit court—see Judge, circuit.
Bath county, act for the benefit of certain turnpike roads in------- 471, 507, 538, 576
—see Court of claims.
Beall's Branch—see Railway Company.
Bear Creek Navigation, Mining, and Manufacturing Company, bill to incorporate the, 596, 659, 690, 795
Beard, C. G., of Clinton county, bill for the benefit of---------- 439, 658, 689, 736
Beard's Station, Floydsburg, and Akin—see Road, turnpike.
Beattyville—see Pryse, David.
Beattyville—see Town.
Beech Fork of Salt river, in Nelson county, bill to protect the navigation of ------- 663
Beech Fork and Simpson's Creek—see Road, turnpike.
Belleview—see Town.
Bellis, Wm., jailer of Estill county, act for the benefit of---------- 650
Benevolent Society—see Society.

Benson district, Franklin county, act to prohibit the sale of intoxicating liquors in, 251, 346, 454, 389, 409
Benton—see Town.
Berry, Harrison, of Nicholas county, act for the benefit of ---------- 302, 554, 594, 629
Bethurum, B. K., late sheriff of Rockcastle county, bill for the benefit of, and his sureties ---------- 122, 142, 167, 205
Big Blane Improvement Company, act to re-enact an act to incorporate the, 596, 675, 702, 747
Big Mud creek—see Clark, Lorenzo Dow.
Big Sandy Highway Bridge Company, bill to incorporate the ---------- 693, 758, 883, 934
Big Sandy Navigation and Manufacturing Company, act to amend the charter of the, 392, 627, 661, 682
Big Sandy river, report of commissioners appointed to superintend the improvement of ---------- 239
Big Sandy river—see Railway Company.
Biggerstaff, Samuel, of Madison county, bill for the benefit of -- 418, 593, 598, 632, 665
Biggs, R. M., bill for the benefit of the heirs of ---------- 418, 507, 537, 576
Binder—see Public Binder.
Birds, small, and game, in the counties of Daviess and Lyon, act to amend act to protect ---------- 104, 138, 155, 162
Birds, small—see Bracken county.
Black, Henry G., of Ballard county, bill for the benefit of ---------- 460, 507, 538, 576
Blandville—see Town.
Blain creek—see Hood's Fork.
Blair, A. W., late sheriff of Nicholas county, act requiring to settle and pay over all public money in his hands ---------- 159, 236, 255
Blair, Stephen T., and Samuel Blair, of Letcher county, bill for the benefit of, 418, 511, 769, 881, 905
Blankenship, Miss, of Cumberland county, act for the benefit of ---------- 337
Blind—see Institution for the Education of the Blind.
Blind children and youth of the State of Kentucky, act for the benefit of the ---------- 337
Blount, W. G., executor of Jas. G. Edens, bill for the benefit of, 418, 433, 434, 469, 476
Blue Lick—see Road, turnpike.
Board of Commissioners of the Sinking Fund—see Pendleton county.
Board of Internal Improvement for Anderson county, bill to amend the charter of the ---------- 277, 329, 366, 409
Board of Managers of Institution for the Deaf and Dumb appointed ---------- 240
Board of Trade, of Louisville, communication in regard to tobacco laws ---------- 237
Board of Visitors nominated for Agricultural and Mechanical College ---------- 930
Bohannan, John W., of Franklin county, bill for the benefit of ---------- 182
Bonds—see Bail bonds.
Bonds of State of Kentucky, list of ---------- 54
Books, public, act to repeal act concerning, and providing for the supply of destitute counties ---------- 302, 734, 760, 780
public, bill to amend act concerning, and providing for the supply of destitute counties ---------- 779, 810
public—see Kenton and Campbell counties.
Books and indexes—see Cumberland county court clerk.

Boone Bridge Company, bill to incorporate the ---- 597, 743, 790, 808
bill to amend act for the benefit of ---- 777, 815, 939, 943
act to amend act for benefit of ---- 180, 252, 272, 326
act for the benefit of ---- 650, 792, 817, 821
—see Sebree, Norman.
Boone county court—see Court, county, of Boone.
Booneville—see Road, graded.
Boston Station—see Town.
Bourbon Building and Savings Association—see Association.
Bourbon county—see Millersburg precinct.
Bourbon county—see Railroad taxes.
Bourbon county court—see Court, county, of Bourbon.
Bourbon Female College—see College.
Bowman, Irvin W., late deputy sheriff of Bracken county, act for the benefit of, 163, 471, 478, 517
Bowling Green—see Schools, public, free.
Bowling Green—see Town.
Bowling Green and Madisonville—see Railroad Company.
Bowling Green Presbyterian Female—see College.
Bowling Green Water-works Company, act to amend the charter of the, 207, 267, 286, 305
Boyd, James Rhea, act for the benefit of ---- 67, 115, 126
Boyd, James Rhea, act for the benefit of ---- 601, 792, 817, 821
Boyd county, bill to regulate the sale of spirituous liquors in -- 351, 395, 418, 437, 577
Boyd county—see Clerks.
Boyd county—see Schools, common.
Boyd County Navigation, Manufacturing, and Improvement Company, bill to re-enact act to incorporate the ---- 596, 675, 702, 747
Boyes, A. P., and others, bill to exempt from working on any dirt road in Harrison county ---- 735, 858, 937
Boyes, John D., of Magoffin county, bill for the benefit of ---- 693, 773, 818, 843
Boyle county, bill to take the sense of the qualified voters of, in relation to liquor license ---- 929
Boyle county—see Franklin county.
Boyle county—see Sales, official.
Boyle quarterly court—see Court, quarterly, of Boyle.
Bracken county, bill to protect small birds in ---- 540, 607, 624, 684, 717, 763
—see Bowman, Irvin W.
—see Court, quarterly, of Bracken.
—see Road law.
—see Staton, Jas. W.
Bracken, Pendleton, Campbell, and Kenton counties—see Court, chancery.
Bracken, Pendleton, &c., counties—see Court, criminal.
Brandenburg—see Town.
Brawner's Patent Levee Company, act to incorporate ---- 669, 769, 902, 925, 941
Breathitt circuit court—see Court, circuit, of Perry.
Breathitt county, bill to transcribe certain surveyors' books of ---- 555, 687, 717, 763
bill to repeal act to prohibit the sale of ardent spirits in, 139, 252, 272, 326

Breathitt county—see Butler, Anderson C.
—see Day, William.
—see Deer.
—see South Fork of Quicksand creek.
court—see Judge, presiding.
Breathitt, Governor—see Resolution, joint.
Breathitt and Powell counties, bill to prohibit the sale of ardent spirits in, 251, 395, 430, 438, 854, 869, 921, 937
Breckinridge county, act for the benefit of school commissioner of, 251, 303, 348, 370, 452, 457
Breckinridge, Maria, of Henderson county, bill for the benefit of 861, 928, 946
Breckinridge, Robert J.—see Resolution, joint.
Bridge—see Covington and Cincinnati.
Bridge—see Newport and Cincinnati.
Bridge across the North Fork of the Kentucky river—see Judge, presiding, of the Breathitt county court.
Bridge Company, West Paris, bill to amend act to incorporate the 95, 125, 146, 157
—see Big Sandy Highway.
—see Boone.
—see Carroll, Owen, Gallatin, and Eagle.
—see Citizens'.
—see Henderson.
—see Owensboro and Indiana.
—see Paducah and Illinois.
—see Rio.
—see Sherburn.
Bridges, Nelson, bill to permit to peddle without license 515, 668
Bridgeport, petition of citizens of the town of 256
Bridgeport election precinct, in Franklin county, act to prohibit the sale of spirituous liquors in a portion of 327, 525, 608, 625, 638
Bridge toll, act to exempt footmen from 279 627, 661, 681
Briensburg—see Town.
Broadway Baptist Church—see Church.
Broadway and Dunkirk—see Railway Company.
Brookville—see Town.
Brookville and Rock Spring—see Road, turnpike.
Brothers' Lodge—see Lodge.
Brown, Geo. W., of Letcher county, bill for the benefit of 418, 605, 632, 665
Brown, Moreau, petition of 240
Brownsville—see Town.
Brumback, R. H., of Pendleton county, bill for the benefit of 886
Bryantsville district, No. 4, in Garrard county, bill to prevent the sale of spirituous liquors in 540, 606, 704, 761, 794
Bryantsville—see Town.
Buckner, Richard A.—see Statute laws.
Buffalo Springs—see Cemetery Company.
Building Company—see Contracting and Building Company.
Bullitt, Joshua F.—see Statute laws.
Bullitt county, bill to pay for keeping pauper lunatics 460, 510, 538, 576

Bullitt county court—see Court, county, of Bullitt.
Bullock, Edward I.—see Statute laws.
Buoys, lights, &c., in Western rivers—see Resolution, joint.
Bureau—see Insurance Bureau.
Bureau of Immigration, bill to establish a 207, 254, 319, 381, 387
Burksville—see Town.
Burlington burying-ground—see Court, county, of Boone.
Burns, Wm. W., late sheriff of Robertson county, act for the benefit of, 431, 555, 594, 628
Butler, Anderson C., of Breathitt county, bill for the benefit of 301, 319
Butler county—see Deweese, V. M.
—see Forgy, J. M.
Butler county—see Roads, public.
court—see Court, county, of Butler.
Butler Seminary—see Seminary.
Byram, Wm. A., sheriff of Nicholas county, act for the benefit of 302, 350, 388, 404
Cabin Creek—see Road, turnpike.
Cabin Creek, Sand Hill, and Manchester—see Road, turnpike.
Cairo—see Town.
Caldwell county—see Line.
Caldwell county, act to provide for indexing deed-books in 650, 792, 817, 821
Caldwell quarterly court—see Court, quarterly, of Caldwell.
Calhoun, J. C., late sheriff of McCracken county, act for the benefit of the sureties of, 469, 478, 525
Calhoun—see Town.
Calvert City—see Town.
Calvert City—see Town, Briensburg.
Camp, A. E., jailer of Jefferson county, act for the benefit of 462, 807, 881, 890
Campbell, E. P., allowed to record his vote in the negative on the passage of an act to amend act to establish an Insurance Bureau 795
Campbell—see Road, turnpike.
Campbell circuit court—see Clerk.
Campbell county, bill to create the office of county treasurer for 647, 732, 775, 793
—see Hayfield.
—see Highland district.
—see Kenton and Campbell counties.
—see School districts.
Campbell Gas-light Company, bill to incorporate the 735, 810
Campbellsville—see Town.
Candle Factory—see Cornwall.
Capital, removal of—see Resolution, joint.
Capital Lodge—see Odd Fellows.
Carlisle, John G., appeared and took the chair 762
Carlisle, John G., appeared, after a temporary absence 929
Carlisle—see Town.
Carlisle and Jackstown—see Road, turnpike.
Carr, B. L., bill for the benefit of 542, 660, 690, 736
Carroll county—see Corporations for manufacturing, &c.
—see Fish.

Carroll county—see Line, boundary.
—see Trespass.
Carroll, Owen, Gallatin, and Eagle Bridge Company, act to amend the charter of the, 577, 628, 661, 681

Carrsville—see Town.
Carrsville Silver and Lead Mining Company, act to incorporate the, 358, 528, 619, 661, 681

Carrollton—see Schools, public.
Carrollton and Eagle Creek—see Road, turnpike.
Carter county, act to amend act to establish an additional precinct in..... 155, 188, 202
bill relating to the sale of ardent spirits in..... 525, 606, 646, 680
act for the benefit of the land-owners and tax-payers of..... 651
—see Court of claims.
—see Schools, common.
Carter county court—see Court, county, of Carter.
Car Wheel and Railway Supply Company—see Louisville.
Casey circuit court—see Court, circuit, of Wayne.
Casey county court—see Court, county, of Casey.
Caseyville—see Town, Uniontown.
Caseyville Deposit—see Bank.
Catlettsburg—see School district.
Catnip Hill—see Road, turnpike,
Cave City—see Town.
Cemetery, Green Lawn, bill to provide for recording deeds to burial lots in, at Franklin 102, 171, 188, 206
St. Augustin, near Lebanon, Marion county, bill to incorporate the, 598, 669, 856, 877, 939, 944
St. Louis, near Louisville, bill to incorporate the 597, 668, 871, 872
Williamstown, in Grant county, bill appointing trustees for, 619, 659, 690, 736.
Cemetery Company, Buffalo Springs, bill authorizing the to have lands condemned for their use..... 777, 814, 926, 946
Eminence, act amending section one of an act to incorporate the, 181, 267, 286, 305
Hawesville, bill to amend act to incorporaie the, 621, 805, 900, 938
Hebron, in Boone county, bill to incorporate the..... 80, 141
Lancaster, bill to amend the charter of the..... 620, 687, 717, 764
Macpelah, in Montgomery county, bill to amend the charter of the, 391, 421, 450, 472, 927
Owingsville, bill to incorporate the..... 621, 774, 840, 882, 934
Pewee Valley, act to incorporate the 254, 619, 645, 666
Central Kentucky Inebriate—see Asylum.
Central Kentucky Medical—see Association.
Central Kentucky Stock, Agricultural, and Mechanical—see Association.
Central Savings Bank—see Bank.
Champion, W. T.—see Thompson, H. C.
Chancellor, bill to authorize to order a survey of land..... 886, 901, 910, 938

Charges on Railroads—see Railroads.
Chapter 265, act to amend, approved February 13th, 1872 ---------- 739
Chapter 853 of acts approved at session of 1869-'70, bill to repeal--- 369, 676, 702, 747
Chapter 1107 of the acts of 1871, bill to repeal---------- 276, 303, 349, 370, 453, 457
Chapter 1108 of the acts of 1871, bill to repeal---------- 276, 303, 349, 370, 453, 457
Chapter 1175 of the acts of 1871, bill to repeal ---------- 276, 303, 349, 370, 453, 457
Charitable institutions—see Grounds.
Chicago Law Institute—see Resolution, joint.
Children's Home and Polytechnic Academy at the Falls of the Ohio, act to amend the charter of the ---------- 372
Childress, A. P., bill for the benefit of ---------- 719, 757, 806, 820
Childsburg and Clintonville—see Road, turnpike.
Christian Church—see Church.
Christian Church Widows' and Orphans' Home, act to incorporate the, 880, 903, 936, 942
Christian county, act to prohibit the granting of license to retail spirituous liquors in the ---------- 251
Christian county—see City of Hopkinsville.
Christian county—see Line.
Christian County Agricultural and Mechanical—see Association.
Christian County Bank—see Bank.
Christian county court—see Court, county, of Christian.
Church Aid Society—see Society.
Church, Baptist, of East Fork, in Henry county, act authorizing the trustees of the to sell the church property ---------- 421, 525, 552, 562
Baptist, of Lick Creek, in Gallatin county, act authorizing the trustees of the to sell and convey certain land ---------- 227, 539, 629
Broadway Baptist, of Louisville, bill to incorporate the, 597, 732, 738, 776, 882, 933
Christian, of Russellville, bill to incorporate the---------- 575, 878, 927, 946
College Street Presbyterian, of Louisville, bill to amend act incorporating the ---------- 576, 606, 632, 665
Colored Methodist Episcopal, in America, bill to incorporate the, 597, 878, 939, 944
East Hickman Baptist, in Fayette county, bill to prevent the sale of liquors within one mile of ---------- 541, 606, 632, 666
First Presbyterian, of Ludlow, Kenton county, bill to incorporate the, 575, 878, 945
Gilead Presbyterian, in Bath county, bill for the benefit of, 541, 605, 632, 666
House for Females and Infirmary for the Sick, bill to incorporate the, 597, 688, 761, 794
M. E. South—see Preachers' Aid Society.
Methodist Episcopal, South, of Louisville, bill to repeal the charter of the, 268, 338, 389, 410
Mount Carmel Baptist, in Muhlenburg county, bill to incorporate the, 620, 878, 927, 932
Mount Gilead and Macedonia, near Allensville, in Todd county, act to prohibit the sale of spirituous liquors within half a mile of--- 601, 777, 806, 809

Church, Presbyterian, of Augusta, bill to incorporate the trustees of the, 251, 332, 366, 409
Salem, in Cumberland county, act to prohibit the sale of liquors within one mile of ---------- 858
St. Paul's Protestant Episcopal, in Newport, bill to repeal the 2d, 3d, and 4th sections of act to amend act to incorporate the ---------- 735, 743, 775, 793
St. Teresa's Catholic, in Meade county, act authorizing the sale of lands belonging to ---------- 180, 252, 272, 326
Cincinnati, Covington, and Cumberland Gap—see Railroad Company.
Cincinnati Southern Railway—see Railway.
Citizens' Bridge Company, act to incorporate the ---------- 730, 902, 936, 941
Citizens' Gas-light Company, of Louisville, bill to incorporate the ---------- 719, 737, 761
Citizens of Kentucky of African descent and their children, act for the benefit of ---- 583
Citizens' Passenger—see Railroad.
City of Augusta, bill to amend the charter of the ---------- 268, 303, 350, 389, 410
Columbus, bill to change the boundary line of the ---------- 205, 231, 255, 325
Columbus, bill to amend the charter of the ---------- 268, 396, 585, 625, 794
Covington, bill to revise and codify the charter of the ---------- 115, 130, 156, 176
Covington, bill to regulate the running of ferries and ferry rates in the, 301, 668, 671, 683, 805, 947
Covington, bill to amend the charter of the ---------- 324, 596, 625, 638
Covington, act to amend the charter of the ---------- 578
Covington, bill to provide for the appointment of deputy constables in the, 692, 814, 939
Covington, act to regulate the running of ferries and ferry rates in the ---- 745, 926
Covington, bill to amend the charter of the ---------- 842, 876, 945
Dayton, in Campbell county, bill to increase the bonded debt of the, 128, 373, 430, 568
Frankfort, bill to amend act to amend the charter of the ---- 102, 130, 146, 157
Frankfort, bill to amend the charter of the, regulating fees of police judge and marshal ---------- 350, 396
Frankfort, act amendatory of the laws in relation to the ---------- 749, 902, 936, 941
Henderson, bill to authorize the to issue bonds for railroad purposes, 793, 839, 926, 947
Henderson, act to amend the charter of the ---------- 421, 618
Henderson, act to amend the charter of the ---------- 600, 646, 666, 885, 925, 932
Henderson—see School, colored.
Henderson—see Schools, public.
Hopkinsville, bill to amend the charter of the ---------- 116, 150
Hopkinsville, act to amend the charter of the ---------- 205, 298
Hopkinsville and county of Christian, bill to authorize the to sell and transfer their stock in the Evansville, Henderson, and Nashville Railroad Company, 620, 758, 882, 934
Lexington, county of Fayette, and the Elizabethtown, Lexington, and Big Sandy Railroad Company, act for the benefit of the ---------- 59, 65, 77, 80
Lexington, act to amend the charter of the ---------- 458, 486, 496, 819, 881, 911
Lexington and county of Fayette, bill to establish and provide for certain precincts and voting places in the ---------- 476, 774, 840, 899, 934
Louisville, bill for the benefit of all persons owning lands binding on that part of Mann's Lick road, &c., in the ---------- 237, 297, 334, 352

City of Louisville, act to amend the charter of the ---- 370, 454, 478
Louisville, act to amend section 96 of the charter of the ---- 859, 885, 925, 932
Ludlow, act to amend the charter of the ---- 842, 876, 927, 942
Maysville, act to amend the charter of the ---- 327, 596, 624, 638
Maysville, act to amend the charter of the ---- 667, 745, 774, 780
Newport, bill to amend act to authorize the to supply itself and others with pure water, &c. ---- 369, 389
Newport, act to amend act to revise the laws relating to the public schools and academy of the ---- 443, 540, 629
Newport, act to extend the corporate limits of the ---- 856, 858, 875, 881
Owensboro, bill to amend section 39 of the charter of the ---- 476, 517, 574, 637
Owensboro, bill to extend the boundary of the ---- 597, 674, 703, 747
Owensboro, bill to amend the charter of the ---- 620, 674, 703, 746
Owensboro—see Schools, public.
Paducah, bill to amend act revising the charter of the ---- 224, 250, 282, 325
Paducah, bill creating a lien on property for the erection of gas-lamp posts in the ---- 268, 297, 334
Paducah, bill to amend act revising the charter of the ---- 269, 282, 335, 352
Paducah, act to amend the charter of the ---- 327, 596, 625, 638
Paducah, act to amend act revising the charter of the ---- 714, 885, 924, 932
Paducah—see Schools, common.
Paris, bill to amend the charter of the ---- 268, 282, 322, 351
Paris, bill to repeal act to amend the charter of the ---- 596, 675, 702, 747
Civil officers, bill for the benefit of the late clerks, jailers, sheriffs, and other ---- 295
Claims of sheriffs—see Sheriffs.
Claremont—see Town.
Clark county, bill for the benefit of ---- 735, 789, 926, 946
—see Clerks.
—see Germantown precinct.
Clark County Agricultural—see Association.
Clark, Daniel, of color, the "Ancient Governor," act for the benefit of ---- 273
Clark, Daniel, Ancient Governor—see Resolution, joint.
Clark and Montgomery—see Road, turnpike.
Clark and Montgomery counties—see Highways, public.
Clark, Jordan, and Thomas P. Smith, late receivers of the Louisville chancery court, bill concerning the settlement of the accounts of ---- 705, 787, 947
Clark, Lorenzo Dow, sr., bill to authorize to erect a mill-dam across Big Mud creek, 418, 605, 632, 665
Clarksville and Princeton—see Railroad Company.
Clay circuit court—see Court, circuit, of Perry.
Clay county, bill to prohibit the sale of intoxicating liquors in ---- 901
Claysville—see Town.
Cleary, John R., appointed Manager of the Eastern Lunatic Asylum ---- 194
Cleaveland Orphan—see Asylum.
Clelland, W. E., sheriff of Mercer county, act for the benefit of ---- 143, 179, 188, 202
Clerk, J. Russell Hawkins elected ---- 5
Assistant, ballot for ---- 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16
Assistant, John L. Sneed elected ---- 16
of Land Office—see Land Office.

Clerk, enrolling, letter of ---------- 930
of the Boyd circuit court, act authorizing the to procure a general cross-index to suits on file in his office ---------- 765, 841, 898, 922
of the Campbell circuit court, bill to regulate the mode of executing process issued by the, &c. ---------- 301, 668
of Cumberland county—see Cumberland county court clerk.
of the Fleming county court, bill authorizing the to make up and correct omissions in the records of said court ---------- 147, 162, 189, 206
of the Harrison circuit court, bill authorizing the to complete a cross-index to judgments ---------- 368, 394, 428, 440
of Henry county court—see Thomas, E. P.
of the Johnson county court, bill to require the to index certain order-books, 779, 815, 927, 947
of the Kenton county court, bill to require the to make a cross-index of deeds and mortgages recorded at Covington ---------- 792, 839, 926, 947
of the Lincoln circuit court, bill to require the to make a cross-index and pay him for the same ---------- 735, 773, 806, 820
of the Louisville chancery court, bill to require the to make a cross-index to suits and cross-suits in said court ---------- 489, 517, 574, 637
of the Nelson county court, act authorizing the to make a cross-index to deeds in his office ---------- 163, 236, 255, 304
of the Owen county court—see Ireland, Thomas A.
of the Todd county court, bill to authorize the to make a cross-index to deeds in his office ---------- 515, 526, 561, 637
of circuit, chancery, and county courts, bill to amend act further to define the duties of ---------- 350, 468, 499, 556
circuit and county, of Montgomery, bill requiring to index certain records, &c., 369, 394, 428, 439
of circuit courts, petition of ---------- 235
of civil and criminal courts, bill for the benefit of the ---------- 107
of the county and circuit courts of Boyd, bill for the benefit of the, 777, 805, 937
of county courts, bill for the benefit of ---------- 350, 810
of county courts, act to require the to report to the Auditor the indebtedness of their respective counties ---------- 803, 841
of the county courts of Lewis, Clark, Montgomery, Mason, Nelson, Cumberland, Adair, Clinton, Russell, Todd, Logan, and Simpson counties, bill for the benefit of the ---------- 842, 879, 880, 901, 940
late, and other officers, act to amend act of March 21, 1871, for the benefit of, 339, 398, 419
sheriffs, jailers, constables, magistrates, and other officers of this Commonwealth, bill for the benefit of late ---------- 185, 298, 328, 339, 378
—see Clerks, civil.
Clinton county—see Beard, C. G.
court—see Court, county, of Clinton.
—see Pulaski and Clinton counties.
—see School districts.
Clover creek—see Fish.
Cloverport—see Town.
Cloverport and Hardinsburg—see Road, turnpike.

Coal Company—see Maltingly.
—see Poplar Mountain.
—see St. Bernard.
Coal and Mining Company—see Diamond.
Coal, Iron Mining, and Manufacturing Company—see Castleberry.
Coal, Iron Mining, and Manufacturing Company—see Hopkinsville.
Coal, Iron Mining, and Manufacturing Company—see Pendleton.
Coal, weight of—see Revised Statutes, chapter 105.
Coast survey—see Governor.
Code of Practice—see Creditor.
Codes of Practice—see Statute Laws.
Code of Practice, act amending title 5 of the ---- 578, 769
Civil, act amending article 5, chapter 2, title 9, of the -- 280, 390, 406
Civil, act to amend act to amend chapter 15, title 10, of the, 163, 320, 768
Civil, act to amend section 28 of the ---- 730
Civil, bill to amend section 37, chapter 1, title 3, of the, 300, 395, 418, 437, 472
Civil, act to amend section 82 of the ---- 421
Civil, act amending sections 87 and 450 of the ---- 392
Civil, act to amend section 142 of the ---- 405, 771
Civil, act to amend section 328 of the ---- 370
Civil, bill to amend section 502 of the ---- 506
Civil, act to repeal act to amend section 611 of the, 73, 115, 120, 368, 398
Civil, act to repeal act to amend section 760 of the, 73, 115, 120, 368, 398
Civil, bill to amend section 834 of the ---- 887, 919
Criminal, bill to amend section 101 of the ---- 391, 508
Criminal, act to amend section 112, chapter 1, title 6, of the, 159, 390, 401
Criminal, in relation to the taking of bail, act to amend the, 298, 350, 409
College or High School, bill to enable the qualified voters residing within one mile of any, to prohibit, by vote, the selling or vending of spirituous liquors ---- 683, 769
College, Agricultural and Mechanical, L. J. Bradford, B. J. Webb, Zeb. Ward, W. C. P. Breckinridge, Dr. S. M. Hobbs, and W. A. Hoskins nominated for Board of Visitors ---- 930
Alexander, in the town of Burksville, act to incorporate the, 577, 885, 924, 932
Bourbon Female, bill to incorporate the ---- 95, 125, 135, 321, 543, 603, 676, 691, 717, 764
Bowling Green Presbyterian Female, bill to incorporate ---- 125
of Pharmacy—see Louisville College of Pharmacy.
Salt River, bill to incorporate the ---- 500, 519, 552, 649
St. Mary's, in Marion county, bill to charter ---- 128, 346
St. Mary's, bill for the benefit of ---- 350, 373, 407, 420
College Street Presbyterian—see Church.
Collins' Historical Sketches of Kentucky, bill to repeal act directing the purchase of 278

Collins' Historical Sketches of Kentucky, bill to amend act directing the purchase of ---------- 714, 725, 784
Colored Agricultural and Mechanical—see Association.
Colored Methodist Episcopal Church in America—see Church.
Colored school in the city of Paducah—see School, colored.
Colored Union Aid—see Society.
Columbia—see Town.
Columbus—see City of Columbus.
Columbus Male and Female—see Academy.
Colvin, A. H., of Fayette county, bill for the benefit of ---------- 391, 660, 679, 689, 736
Combs, Alexander, bill authorizing to erect a mill-dam across the North Fork of the Kentucky river ---------- 887, 923, 938
Combs, John W., late sheriff of Woodford county, bill for the benefit of the sureties of, 692, 732, 761, 794
Combs, W. W., bill authorizing the to erect a mill-dam across the North Fork of the Kentucky river ---------- 887, 923, 938
Commerce—see Bank of Commerce.
Commercial Bank—see Bank.
Commercial Bank of Lebanon—see Bank.
Commercial and Manufacturing Company—see Kentucky.
Commission and Mining Company—see Kentucky Tobacco.
Commissioners of fire-proof public offices, report of ---------- 305
Commissioners of the Sinking Fund, communication from in relation to sale of turnpike stock ---------- 66
of Marion county, bill to legalize the action of the, in relation to sale of Louisville and Nashville Railroad stock ---------- 268, 297, 334, 352
act to amend act authorizing the to contract with State banks for interest on State deposits, 729, 752, 841, 898, 922
communication of, in regard to the condition of the Kentucky war claim ---------- 873
Committee on Immigration and Labor added to the Standing Committees of the Senate ---------- 57
Committees, Standing, list of ---------- 60
Commonwealth Insurance Company—see Insurance Company.
Commonwealth Printing Company—see Frankfort.
Congress, Representatives in—see Ballot.
Congressional Districts, bill to lay off the State into ten, 520, 568, 575, 633, 639, 704, 712, 729, 740, 744, 775, 793
—see Resolution, joint.
First and Ninth—see School-houses.
Eighth and Ninth—see School-houses.
Connecticut, act of, in regard to the coast survey ---------- 846
Connor, G. W., appeared and took his seat ---------- 73
Constables, deputy—see City of Covington.
Construction Company—see National.
Construction or repairs of railroads, turnpikes, and gravel roads, act for the security of persons furnishing labor or materials in the ---------- 78, 93, 138, 143, 204, 235, 304

Contingent interest—see Sale of real estate and slaves.
Contracting and Building Company, for the purpose of building railroads, bridges, &c., bill to incorporate the 315, 526, 595, 649
bill to incorporate the 324, 339, 357, 456
for the purpose of building railroads, bridges, &c., act to amend act to incorporate the, 739, 763, 790, 809
for the purpose of building railroads, bridges, &c., bill to amend act to incorporate the, 880, 902, 925
—see Ohio Valley.
County seat—see Hickman county.
Cook, E. R., appointed Manager of the Western Lunatic Asylum 353
Cooke, Lyttleton, report of 53, 738
Cooke, Lyttleton, resolution in regard to the report of 738
Cook, James B.—see Tague, J. A.
Cooper, John E., added to the Committee on Revised Statutes and Codes of Practice 319
Cornwall Candle Factory, of Louisville, bill to amend the charter of the, 268, 319, 326, 415, 459, 478, 525
Corporation—see Highland Park.
Corporation—see Western Tobacco.
Corporations for manufacturing, mining, &c., bill to authorize the formation of, in Carroll county 901, 938
Corydon—see Schools, common.
Corydon—see Town.
Cossen, J. E., H. G. Trimble, and E. D. Porch, of the county of Pulaski, act for the benefit of 117, 138, 156, 162
Cottage Furnace Iron and Manufacturing Company, in Estill county, bill to amend act to incorporate the 336, 358, 389, 409
Cotton, tax on, by the General Government—see Resolution, joint.
County attorneys—see Attorneys.
County judges—see Judges.
County seat—see Meade county.
Court of Appeals—see State Librarian.
Court, chancery, in Bracken, Pendleton, Campbell, and Kenton counties, act to fix and regulate the times of holding the 836, 903, 936, 941
Court, circuit, of Allen county, act to regulate the time of holding the, 59, 67, 72, 74, 77, 80
of Barren, bill to regulate sales made under decrees of the, 78, 141, 167, 176
of Barren, bill to change the time of holding the, 622, 661, 679, 690, 736
of Boyd—see Clerk.
of Franklin, bill changing the time of holding the February term of the 735, 787, 818, 843
of Graves, act to change the terms and regulate the business of the, 460, 734, 760, 780
of Jefferson—see Jurors, standing.
of Lincoln—see Clerk.

Court, circuit, of McCracken, act regulating the terms of the, and transfer of cases to the McCracken court of common pleas---------- 435, 734, 760, 780
of Metcalfe, bill to regulate sales made under decrees of the, 342, 415, 518, 552, 577
of Montgomery, bill to fix the time of holding the---------- 95, 113, 126
in Perry, Breathitt, and Clay counties, bill regulating the time of holding the ---------- 342, 389, 409
and county, of Warren, act to provide for paying for indexing record books in the ---------- 803, 902
of Wayne, bill to extend the terms of the, and to change the time of holding the Russell and Casey circuit courts------- 350, 395, 428, 440
act for the benefit of officers of---------- 106
in the 1st judicial district, act to change and regulate the time of holding the---------- 435, 515, 527, 537, 562
in the 5th judicial district, act to change the time for holding the, 132, 150, 167, 172
in the 12th judicial district, act to fix and regulate the time for holding the terms of the ---------- 836, 885
in the 14th judicial district, act to regulate the time of holding, 302, 841, 875, 881, 890
in the 15th judicial district, bill to regulate the time of holding, 679, 710, 761, 794

Courts, civil and criminal—see Clerks.
Court of claims of Bath county, act to change the time of holding the, 132, 179, 188, 206
of Carter county, bill to change the time of holding the-- 778, 814, 937
of Franklin county, bill to authorize the to submit to the voters of said county the question of voting a tax for turnpike purposes, 418, 432, 459, 473
in Graves county, bill to change the time of holding the, 472, 507, 538, 577
of Kenton county, bill to authorize a committee appointed by, to sell the poor-house farm ---------- 139, 162, 189, 206
of Madison county, bill to change the time of holding the, 128, 142, 167, 176
of McCracken county, bill to change the time of holding the, 324, 338, 389, 410
in the county of Robertson, bill to change the time of holding the, 778, 814, 939, 943
Court of common pleas in the 11th judicial district, act to establish a ---------- 564, 744
in Ballard county, bill to change the time of holding the, 175, 189, 206
in the counties of Hickman, Fulton, Graves, and Marshall, bill to repeal act to repeal the, &c., &c.---------- 116, 137
in Hickman county, bill to amend act re-establishing the, 317, 329, 367, 408
Hickman county, in the first judicial district, bill to amend act re-establishing the ---------- 679, 695, 761, 794

Court of common pleas of McCracken, act to regulate the terms and business of the, 435, 734, 760, 780
Court, criminal, in the ninth judicial district, act to amend act to establish a, 158, 476, 498, 543
Court, criminal, for the counties of Bracken, Pendleton, Harrison, Campbell, and Kenton, act to amend the act creating a ---------- 836, 885, 925, 932
Court, county, act to amend act to empower, to take stock in turnpike roads, 563, 791, 816, 821
bill to amend act to require the to have one or more fire-proof vaults for the safe-keeping of the public records ---------- 777, 839, 927, 947
and quarterly—see Judges, *pro tempore*.
of Barren, act to limit the power of the in ordering elections for subscription of stock to the Cumberland and Ohio Railroad Company, 527, 745, 774, 781
of Boone, act legalizing certain proceedings of the --- 435, 791, 816, 821
of Boone, bill to authorize the to appoint trustees for the Burlington burying-ground ---------- 778, 815, 926, 942
of Bourbon, act to amend act to authorize the to levy a tax to build a bridge across Hinkson creek ---------- 92, 127, 145, 155
of Bullitt, bill empowering the to sell clerks' offices--- 342, 373, 407, 420
of Butler, bill to authorize the to increase the county levy for county purposes ---------- 128, 142, 167, 176
of Carter, bill authorizing the to appoint a commissioner and receiver of the funds to meet the subscription to the Lexington and Big Sandy Railroad Company ---------- 778, 839, 926, 942
of Casey, act to authorize the to increase the county levy, 405, 791, 816, 821
of Christian, bill to require the to appoint commissioners to divide said county into magisterial districts ---------- 77, 526
of Clinton, bill to legalize certain orders of the ---------- 734, 782
of Cumberland, act to authorize the to levy an additional poll tax, 170, 300, 334, 344, 454
of Cumberland, act to legalize the action of in the sale of the old jail, 170, 300, 334, 344, 454
of Elliott, bill to amend act to authorize the to levy an additional tax, 301, 329, 367, 409
of Fleming, bill to reimburse the for expenses incurred in keeping and support of lunatics ---------- 842, 868
of Fleming—see Clerk.
of Garrard, bill to legalize and render valid the actions of the, 779, 884, 904
of Graves, bill to authorize the to sell the old clerks' offices, 236, 252, 272, 325
of Grant, and other counties, bill to authorize the to submit to vote a tax to provide the right of way for railroads ---------- 918
of Green, act to authorize the to issue bonds and levy a tax, 206, 300, 334, 344, 454
of Green, bill to authorize the to establish an additional voting place in district No. 3 ---------- 777, 810, 824

Court, county, of Hancock, bill to authorize the to increase the county levy, 180, 186, 202, 325
of Hancock, bill to authorize the to levy taxes to build bridges, &c., 342, 359, 407, 420
of Henderson, bill to amend act to authorize the to raise money by ad valorem tax ---------- 301, 328, 367, 408
of Hickman, bill to authorize the to raise money to build a new court-house ---------- 778, 805, 926, 942
of Jefferson, act requiring to appoint a measurer of tan-bark, 682, 792, 817, 821
of Kenton, bill to authorize the members of the bar of the to elect a special judge ---------- 778, 838, 927, 932
of Larue, act to legalize certain orders and proceedings of the, 114, 127, 145, 155
of Lawrence, act to authorize the to levy an ad valorem tax for county purposes ---------- 520, 791, 816, 821
and quarterly, of Letcher, bill to change the time of holding the, 301, 329, 367, 409
of Lincoln, bill to change the time of holding ---------- 342, 373, 404, 469
of Madison, bill to authorize the to sell the stock owned by said county in the Louisville and Nashville Railroad ---------- 778, 805, 840
of Meade, act to authorize the to raise money for the erection of public buildings ---------- 66
of Meade, bill to authorize the to make a levy and pay debts contracted by said court ---------- 161, 201, 202, 325
of Meade act for the benefit of the ---------- 667, 792, 817, 821
of Menifee, bill to authorize the to issue bonds to assist in building a court-house ---------- 128, 142, 167, 176
of Mercer, bill to legalize certain orders of the ---------- 301, 328, 366, 408
of Mercer, bill authorizing the indexing of the order-books of the, 301, 328, 366, 409
of Mercer, bill legalizing certain orders of the ---------- 620, 838, 925, 946
of Nicholas, act authorizing the to purchase any interest, right, or franchise in and to turnpike roads situated in said county, 159, 236, 255, 304
of Nicholas and Bourbon, to compel persons to keep stock off of public roads ---------- 171, 514, 581, 624, 638
of Owen, act legalizing certain proceedings of the ---------- 563, 791, 816, 821
and quarterly, of Perry, bill to change the time of holding the, 301, 329, 367, 408
of Pulaski, bill legalizing orders and proceedings of the, 778, 815, 884, 904
of Shelby, bill to amend act to authorize the to issue bonds for the benefit of turnpike roads ---------- 745, 789, 884, 905
of Trigg, bill to authorize the to sell the poor-house ---------- 777, 815, 937
of Union, bill for the benefit of the ---------- 128, 146
of Warren, bill to authorize the to levy a tax for bridge purposes, 95, 124, 145, 157

Court, county, of Warren and Hickman, act to authorize the to submit the question of the adoption of an act amending the law in relation to roads to the voters of said counties ---------- 578, 792, 816, 821, 935
Courts of justices of the peace in Jefferson county and the city of Louisville, act to regulate proceedings in the ---------- 391, 422
Court of levies and disbursements of Rockcastle county, bill authorizing the to levy an additional capitation tax to build a new court-house ---------- 301, 328, 398, 419
Court, levy, of Spencer county, bill in relation to the ---------- 342, 358, 398, 419
Court, levy, of Union county, bill to authorize the to levy an additional tax to pay for work on roads and bridges ---------- 342, 359, 399, 419
Court, Louisville chancery—see Clark, Jordan.
—see Clerk.
—see Vice Chancellor.
Court, police, of the town of Ashland, and of the town of Morehead, act to increase the jurisdiction of the ---------- 504
in the city of Hickman, act to regulate the civil jurisdiction of, 359, 390, 398, 419
in the town of Hickman, bill to amend the ---------- 342, 359, 419
of Lebanon, bill to increase the jurisdiction of the ---------- 391, 422
Court, quarterly, in Ballard county, bill to change the time of holding the, 180, 186, 202, 325, 348
of Boyle, bill to regulate the terms of the ---------- 777, 818, 843
of Bracken, and other counties, act to increase the jurisdiction of the justices of the peace, and of the judge of the ---------- 785, 903
of Caldwell, act to regulate the times of holding the, 66, 102, 120, 123
of Estill, act to change the time of holding the ---------- 370, 791, 816, 821
of Greenup, bill to legalize the judgments and orders of the, 705, 786, 926, 942
of Henry, bill to change the times of holding the, 342, 373, 407, 420
in the county of Knox, bill changing the time of holding the, 693, 710, 761, 794
of Mercer, act to change the time of holding the ---------- 66, 102, 120, 123
in Nicholas, act regulating the time of holding the, 171, 300, 334, 344, 454
of Ohio, act to change the time of holding the ---------- 337, 691, 716, 748
of Whitley, bill to change the time of holding the April term of the ---------- 103, 113, 126
Courts—see Secretaries of courts.
Covington—see City of Covington.
Covington and Cincinnati bridge, bill to regulate the rate of tolls on the, 301, 668, 671, 683, 745
Covington and Lexington—see Road, turnpike.
Covington Street—see Railway Company.
Crab Orchard and Crew's Knob—see Road, turnpike.
Craddock, Geo. W.—see Statute Laws.
Craig, Newton, resolution appointing committee to investigate settlement with ---------- 172
Craig, Newton, report of committee to investigate the settlement with, and the Commissioners of the Sinking Fund ---------- 444

Crawford, Thomas, H., act for the benefit of the estate of ---------- 117, 161, 174, 201
Crawford, Thomas H., act to amend act for the benefit of the estate of, 327, 476, 499, 543
Creditor, act to define the meaning of the word ---------- 471, 605, 632, 665
Creditors, bill to repeal act to authorize to garnishee before judgment on return of no property ---------- 582
Crimes and punishments, act to amend the law in regard to ---------- 237, 283, 389
Crimes and punishments—see Revised Statutes.
Criminal laws—see Laws, criminal.
Crittenden—see Town.
Crittenden, George B., elected State Librarian ---------- 248
Crittenden county, bill to prohibit the granting of license to retail spirituous liquors in ---------- 607, 663, 678, 694
Crittenden county, bill for the benefit of ---------- 180, 186, 202, 325
Crittenden magistrates' district, in Grant county, act to prohibit the sale of spirituous liquors in ---------- 392, 406, 663, 689, 731
Cross Roads and Cornishville—see Road, turnpike.
Castleberry Coal, Iron Mining, and Manufacturing Company, act to incorporate the, 621, 729, 743, 844, 927, 942
Cumberland county court clerk, act to authorize the to procure books and indexes for the purpose of transcribing the records of the surveyor's office ---- 91, 138, 155, 162
Cumberland county, act to better define the duties of overseers of public highways in, 104, 127, 143, 155, 162
act to amend act to transcribe the surveyors' books and records of ---------- 667, 792, 817, 821
and the good citizens thereof, bill for the benefit of ---------- 798
—see Blankenship, Miss.
—see Franklin county.
—see Matthews, C. L. S.
—see Ryal, B. F.
—see School districts.
court—see Court, county, of Cumberland
Cumberland Gap and Mississippi River—see Railroad Company.
Cumberland and Ohio—see Railroad Company.
Cumberland river—see Fish.
Cumberland River and Big Sandy—see Railroad Company.
Cumbie, J. D., bill to authorize to change the direction of the State road running through his lands in Todd county ---------- 515, 526, 561, 649
Cummins, Wm., and his sureties, bill for the benefit of ---------- 418, 507, 573, 637
Curdsville—see Town.
Curry, J. M., late sheriff of Pendleton county, act for the benefit of ---------- 809
Cutter and Taylor, charged with forgery—see Haggard, D. R.
Damages on deliaquent property—see Auditor.
Danville and Nashville—see Railroad Company.
Davidson, E. G., bill for the benefit of ---------- 439, 657, 689, 736
Davis, Amos, sheriff of Morgan county, bill for the benefit of ---------- 777, 839, 926, 947
Davis, Garrett—see Resolution, joint.
Davis, Robert T., nominated as commissioner to revise statute laws ---------- 930
Daviess county—see Birds, small.
Dawson, James A., Agent of Commissioners of the Sinking Fund ---------- 66

Day, Wm., of Breathitt county, act for the benefit of ---------- 435, 627, 661, 682
Dayton—see City of Dayton.
Dead bodies—see Medical Science.
Deadly weapons—see Weapons.
Deaf and Dumb—see Asylum.
Deaf and Dumb—see Institution for the Deaf and Dumb.
Debt—see Homesteads.
Debt—see State debt.
Deer in Breathitt, Morgan, Magoffin, Elliott, and Wolfe counties, act for the protection of ---------- 730, 903, 936, 941
Deer-driving in the counties of Estill, Jackson, Perry, Harlan, Butler, Grayson, and Edmonson, bill to prevent ---------- 861, 862, 939, 943
Deed-books—see Caldwell county.
Deficit—see Treasury.
Delinquent tax-payers—see Union county.
Demossville—see Town.
Dempsey, J. F., of Hopkins county, bill for the benefit of ---------- 78, 97, 105, 121, 129
Deposit Bank of Carrollton—see Bank.
Deposit Bank of Mount Sterling—see Bank.
Deweese, V. M., of Butler county, bill for the benefit of ---------- 324, 346, 389, 454, 409
Diamond Coal and Mining Company, act to charter the ---------- 578, 902, 936
Distilleries—see Resolutions, joint.
Districts—see Congressional Districts.
Ditto, Polk, sheriff of Henry county, act for the benefit of ---------- 600, 902, 936, 941
Divorces, bill concerning ---------- 461, 770, 854
Dixon—see Town.
Dix River and Lancaster—see Road, turnpike.
Door-keeper, J. B. Read elected ---------- 17
Dover Seminary—see Seminary.
Drake's creek—see Fish.
Drugs, poisonous—see Estates.
Dry Creek and Covington—see Road, turnpike.
Duncan, H. T., jr., appointed director of the Northern Bank of Kentucky ---------- 468
Dunlap, Emily C., bill for the benefit of ---------- 67
Eagle Creek, Dallasburg, and Bethel—see Road, turnpike.
Earlington—see Town.
East Cedar Hill Institute, in Jefferson county, bill to incorporate ---------- 268, 298
East Fork—see Church, Baptist.
East Hickman Baptist—see Church.
Eastern Kentucky Marble, Lithograph Stone, and Mining Company, bill to amend act to incorporate the ---------- 886, 897, 940
Eastern Kentucky—see Railway Company.
Eddyville—see Town.
Eddyville Male and Female—see Academy.
Edens, James G.—see Blount, W. G.
Edmonton—see Town.
Eifort, James M., bill for the benefit of ---------- 471, 660, 689, 737
Election district No. 3—see Lyon county.
Election laws—see Registration.

Elizabethtown—see Railroad, Louisville and Nashville.
Elizabethtown—see Roads, public.
Elizabethtown—see Town.
Elizabethtown, Lexington, and Big Sandy—see Railroad Company.
Elizabethtown and Paducah—see Railroad Company.
Elizaville and Elizaville Station—see Road, turnpike.
Elizaville and Fairview—see Road, turnpike.
Elkton—see Town.
Elkton and Guthrie City Railroad—see Railroad Company.
Elliott county—see Deer.
—see Howard, Jesse K.
—see Line.
—see Railroad tax.
Elliott county court—see Court, county, of Elliott.
Ellis, Samuel, and others, act for the benefit of ---------- 431, 555, 594, 629
Elm Spring Agricultural and Mechanical—see Association.
Elrod, H. B., and Jane Elrod, bill enabling to adopt John W. Elrod ---------- 237, 283
Eminence Cemetery Company—see Cemetery Company.
Eminence and Smithfield—see Road, turnpike.
Eminence and Sulphur Station—see Road, turnpike.
Enrolled militia—see Officers and soldiers.
Enrolling Clerk, letter of ---------- 930
Estate of married women, bill to repeal act concerning the separate ---------- 108
Estates and security of persons of unsound mind, who, by use of poisonous drugs, &c., act to provide for the preservation of the ---------- 730, 754, 763, 774, 781
Estill, Jackson, Perry, &c.—see Deer-driving.
Estill quarterly court—see Court, quarterly, of Estill.
Evansville and Jackson—see Railroad Company.
Evidence, act to amend the laws of, in this Commonwealth, 92, 151, 183, 189, 194, 197, 200, 204, 267, 281, 299, 305
act to amend act to amend the laws of, in this Commonwealth ---------- 765
—see Reporters, official.
—see Secretaries of courts.
Ewell, John, jailer of McCracken county, bill for the benefit of ----- 342, 372, 407, 420
Examiner's fees in Jefferson county, bill to regulate ---------- 118
Exchange Bank and Tobacco Warehouse Company, act to incorporate the, 96, 119, 704, 803, 881, 945
Falls City Association for the Improvement of the Breeds of Stock—see Association.
Falls City Levee and Bridge Company, bill to incorporate the ---------- 597, 646
Falmouth—see Town.
Farmers' Bank of Kentucky—see Bank.
Farmers' Mutual—see Insurance Company.
Farmers' and Traders' Bank—see Bank.
Fayette county—see City of Lexington.
Fayette county—see Colvin, A. H.
Feeble-minded Children—see Institution.
Fees—see Attorneys, county.
Fees of county attorneys, bill to repeal act to fix the ---------- 278

Female Literary and Benevolent Institution of Nazareth, act amending act to incorporate the ---------- 405, 540, 629
Female Seminary—see Seminary, Female.
Fence Company—see Scuffletown.
Ferguson, J. W., late sheriff of Calloway county, bill for the benefit of---- 861, 928, 946
Ferries and ferry rates—see City of Covington.
Fields, Major—see Ryan, Michael.
Fire-proof public offices, report of commissioners of---------- 305
Fire-proof offices, act to further provide for the completion of the unfinished apartments in the building known as the---------- 444, 486, 603, 630
Fire-proof vaults—see Courts, county.
First German Savings Bank—see Bank.
First Presbyterian Church of Ludlow—see Church.
Fish, T. S.—see Resolutions, joint, on the death of.
Fish in the stream of Bank Lick, in Kenton county, bill to prevent the destruction of, 122, 252, 276, 286, 326
Fish in Clover creek, in Breckinridge county, bill to amend the first section of act to prevent the destruction of---------- 418, 507, 537, 577
Fish in Cumberland river above the falls, act repealing act to prevent the destruction of---------- 600
Fish in Cumberland river, bill to prevent the destruction of by fish-nets within the limits of Trigg county---------- 138, 222, 249, 325
Fish in Cumberland and Tennessee rivers and their tributaries, bill to prevent the destruction of---------- 418, 605, 632, 665
Fish in Drake's creek, in Simpson county, bill to protect---------- 95, 113, 267, 272, 326
Fish in Green river and its tributaries, bill to repeal act to prevent the destruction of, so far it applies to Martin's creek and Hurricane pond, in Daviess county, 777, 814, 927, 947
Fish in the Kentucky river and its tributaries, bill to prevent the destrucion of, 122, 659, 689, 737
Fish in Little Kentucky river and other streams, in Carroll and Trimble counties, bill to prevent the destruction of---------- 439, 606, 704, 717, 764
Fish in Mercer county, act to prevent the destruction of---------- 520, 776, 816, 821
Fisherville and Buck Creek—see Road, turnpike.
Fitchburg—see Town.
Flat Rock and Floyd's Fork—see Road, turnpike.
Fleming county—see Sheep.
court—see Clerk.
court—see Court, county, of Fleming.
Fleming County Seminary—see Seminary.
Floyd county, bill for the benefit of---------- 122, 130, 156, 176
Foreign corporations engaged in operating railroads in the State of Kentucky, act to regulate---------- 143, 165, 430, 449
Forgy, J. M., school commissioner of Butler county, bill for the benefit of, 541, 591, 625, 648
Foutz, W. A., surety for B. T. Hayden, late sheriff of Rowan county, act for the benefit of---------- 132, 179, 188, 202
Fox Run and Lagrange—see Road, turnpike.

Frankfort—see City of Frankfort.
Frankfort Building and Loan—see Association.
Frankfort Commonwealth Printing Company, bill to incorporate the--- 620, 773, 882, 904
Frankfort, Paris, and Big Sandy—see Railroad Company.
Franklin—see Town.
Franklin Academic Institute, act to incorporate the---------- 170, 540, 579, 624, 638
Franklin circuit court—see Court, circuit, of Franklin.
Franklin county, and other counties in the State, bill to empower to suppress disorder, 290, 330
memorial of citizens of, in regard to lawlessness---------- 181
—see Benson district.
—see Bohannan, John W.
—see Bridgeport election precinct.
—see Court of claims.
—see Peak's Mill.
Franklin, Cumberland, and Boyle counties, act to empower the to suppress disorder and enforce the laws---------- 332, 338, 728, 855
Franklin Lodge—see Lodge.
Frazer, W. W., appeared and took his seat ---------- 17
Frazer, W. W., added to the Committee on Claims ---------- 781
Frederick—see Town.
Frenchburg—see Town.
Fry's Creek—see Road, turnpike.
Fulton—see Town.
Fulton county, act in aid of the construction of a levee on the Mississippi river in, 789, 840, 925
Fulton county—see School district.
Gallatin county—see Line, boundary.
Gallatin county—see Sheep.
Game, small, in Lewis county, bill to amend act to protect---------- 454, 605, 632, 665
Gardner, Joseph, nominated for Assistant Clerk---------- 14, 16
Gardner, Jos., of Magoffin county, bill for the benefit of---------- 576, 757, 790, 808
Garnishee—see Creditors.
Garnishee—see Wages of laborers.
Garrard county, bill to prohibit the sale of spirituous liquors in------ 525, 607, 704, 760
bill for the benefit of the citizens of---------- 664, 787, 817, 843
—see Bryantsville district.
court—see Court, county, of Garrard.
Garrard County and Kirksville—see Road, turnpike.
Gas-lamp posts—see City of Paducah.
Gas-light Company—see Campbell.
Gas-light Company of Louisville—see Citizens'.
Gas-light Company—see Paducah.
Gas-light and Fuel Company—see Newport.
Gas and Mining Company—see Hopkinsville.
Gate-keeper on the Wilderness Turnpike Road, in Knox and Josh Bell counties, act to reduce the salary of the---- 116, 507, 552, 576, 592, 605, 632, 665, 679, 689, 736
Gate-keeper—see Road, turnpike, Wilderness.

Gatewood, John J., allowed to record his vote in favor of the act to change time of meeting of the General Assembly ---------- 326
Georgetown, Oxford, and Leesburg—see Road, turnpike.
Georgia, memorial of, in regard to ship canal ---------- 353
General Assembly, bill to change the meeting of the ---------- 293, 319, 327, 471
German Bank and Insurance Company, act to amend act to incorporate the, 599, 692, 756, 774, 780
German Baptist Bethesda—see Society.
German Insurance Bank—see Bank.
German Insurance Company—see Insurance Company.
German Roman Catholic St. Andrew's Benevolent—see Society.
Germantown and Bridgeville—see Road, turnpike.
Germantown and North Fork—see Road, turnpike.
Germantown precinct, No. 4, in Clark county, bill to repeal act to prevent the selling of spirituous liquors in ---------- 541, 688, 717, 764
Ghent and Eagle Creek—see Road, turnpike.
Gilbert, Haywood, former sheriff of Clay county, bill for the benefit and relief of, 138, 167, 205
Gilead Presbyterian—see Church.
Glasgow—see Railroad Company.
Glasgow—see Town.
Glasgow Junction—see Town.
Glasgow Lodge—see Lodge.
Glenville—see Town.
Golladay's lotteries, resolution in regard to ---------- 151
Golladay's lotteries, report of committee in regard to ---------- 173
Golladay's lotteries—see Revised Statutes, section 1, article 2, chapter 28.
Goodin, Benj., R. P. Gresham, and George W. Roberts, of Rockcastle county, bill for the benefit of ---------- 269, 422, 459, 478, 526
Goodin, John, of Josh Bell county, bill for the benefit of ---------- 251, 296, 334, 352
Goodloe, Wm. Cassius—see Contested election.
Good Shepherd—see Orphanage of the Good Shepherd.
Good Templars' Joint Stock Company, of the town of Monterey, in Owen county, bill to incorporate the ---------- 540, 774, 900, 938
Good Templars' Widows' and Orphans' Benefit—see Association.
Goshen, Oldhamsburg, and Sligo—see Road, turnpike.
Governor, committee appointed to wait on ---------- 18, 947
Governor, regular message of ---------- 19
Governor's message directed to be printed ---------- 56
Governor's message referred to appropriate committees ---------- 69
Governor, message of, in regard to the International Congress for the prevention and repression of crime ---------- 747
in regard to extending the triangulation of the coast survey ---------- 845
transmitting memorial from the State of Georgia ---------- 353
transmitting resolutions from New Jersey in regard to the Washington national monument ---------- 680
vetoing bill to amend the charter of the Elizabethtown, Lexington, and Big Sandy Railroad Company ---------- 545, 608
vetoing bill to amend the charter of the city of Lexington ---------- 911

Governor—see Secretary, private.
Governor, special message of, in regard to defects in the revenue laws ---------- 224
Graham, James H., bill for the benefit of ---------- 654
Grand Central Industrial Exposition, act to incorporate the ---------- 200, 430, 449, 517
Grand Central Industrial Exposition, bill to amend act to incorporate the, 515, 526, 574, 637

Grand jury—see Subpœnas for witnesses.
Grant county—see Crittenden magistrates' district.
—see Line.
Grant county court—see Court, county, of Grant.
Grassy Lick—see Road, turnpike.
Graves circuit court—see Court, circuit, of Graves.
Graves county—see Court of claims.
Graves county—see Wortham, David.
Graves county court—see Court, county, of Graves.
Grayson county—see Thomas, John M.
Great Western Mining and Manufacturing Company, act to amend the charter of the, 880, 929, 935

Green county—see Moore, John.
—see Russell's creek.
—see School district.
court—see Court, county, of Green.
Green, Grant, act for the benefit of ---------- 898, 902, 935, 945
Green, John W., late sheriff of Owen county, act for the benefit of ---------- 781
Green Lawn—see Cemetery.
Green River Lock and Dam Company, act to incorporate the, 431, 435, 477, 521, 628, 661

Greensburg—see Town.
Greensburg Deposit Bank—see Bank.
Greenup—see Town.
Greenup county, bill for the benefit of ---------- 324, 338, 389, 410
—see Ohio River and Tygart's Drain district.
—see Schools, common.
quarterly court—see Court, quarterly, of Greenup.
Greenwade, Jas M., late sheriff of Menifee county, bill for the benefit of, 268, 297, 350, 389, 409
Greenwell, John B., of Owen county, bill for the benefit of ---------- 471, 526, 637
Gresham, R. P.—see Goodin, Benj.
Grinstead, Wm. A., appointed Manager of Eastern Lunatic Asylum ---------- 420
Grounds of the charitable institutions of the Commonwealth, act relating to the, 345, 454
Grundy, Thos. D., sheriff of McCracken county, act for the benefit of, 682, 861, 924, 931

Haggard, D. R., from the Committee on Propositions and Grievances, discharged from the consideration of sundry petitions and leaves ---------- 857
Haggard, D. R., State Agent sent to Missouri after Cutter and Taylor, charged with forgery, act to pay the expenses of ---------- 870
Haly, Mahony & Co., petition of ---------- 404, 434
Haly, Mahony & Co., act for the benefit of ---------- 669
Haly, D. L., and J. H. Mortin, bill for the benefit of ---------- 898

Hamilton, Robert, late sheriff of Perry county, bill for the benefit of the securities of, 454, 507, 538, 576
Hancock county—see Lewisport justices' district.
—see Line.
—see School district.
court—see Court, county, of Hancock.
Hancock Seminary—see Seminary.
Hanging Fork and Green River—see Road, turnpike.
Hardin county, bill to create magistrates' and constable's district No. 11, in.---- 460, 518
Hardin county—see Vinson, James.
Hardin County Male—see Seminary.
Hardin, Merrill, bill for the benefit of---------- 500, 584, 632, 665
Hardinsville—see Academy, Lee.
Harlan, John M., nominated for U. S. Senator---------- 136, 146
Harrison circuit court—see Clerk.
Harrison county, bill to provide for the construction and completion of turnpike roads in---------- 693, 773, 883, 905
Harrison county—see Boyes, A. P.
Harrison county—see Smith, H. F.
Harrison County Agricultural—see Society.
Harrodsburg Academy—see Academy.
Harrodsburg—see Town.
Harrodsburg—see Public Library.
Harrodsburg and Chaplin River—see Road, turnpike.
Harrodsburg and Cornishville—see Road, turnpike.
Hart county—see School district.
Hartford—see Town.
Hartford, Calhoon, and Morganfield—see Railroad Company.
Hartman, Mary Lloyd—see Pope, Mrs. Sally M. E.
Hatchett, James D., of Henderson county, bill for the benefit of------ 180, 222, 250, 325
Havens, W. T., nominated for Assistant Clerk---------- 5, 7
Hawesville—see Cemetery Company.
—see Town.
Hayfield, district of, in Campbell county, act to incorporate the------ 392, 575, 646, 666
Hebron Cemetery Company—see Cemetery Company.
Henderson—see City of Henderson.
Henderson Bridge Company, bill to incorporate the---------- 324, 339, 374, 398, 420
Henderson county, bill in relation to taxes for road purposes in----- 122, 130, 156, 176
—see Breckinridge, Maria.
—see Hatchett, James D.
—see Hicks, W. S.
Henderson Running Park—see Association.
Henry county, act to amend act to authorize commissioners to sell the poor-house farm---------- 842, 939, 943
act to amend the turnpike laws of---------- 667, 885, 935
bill to allow the citizens of to vote upon the question of the removal of the county seat from New Castle---------- 408, 677, 886, 906
bill for the benefit of---------- 418, 507, 537, 577
—see Judge.

Henry county—see Tingle, Solomon.
court—see Court, county, of Henry.
Henry county poor-house farm, bill authorizing the sale of the, &c.... 342, 373, 407, 420
Henry, Oldham, and Jefferson—see Road, turnpike.
Henry quarterly court—see Court, county, and quarterly.
Hewitt, Fayette, act for the benefit of 898, 902, 935, 944
Hickman—see Court, police.
Hickman county, bill to locate the county seat for 778, 805, 926, 947
—see Ballard county.
—see Court of common pleas.
court—see Court, county, of Hickman.
court—see Court, county, of Warren and Hickman.
Hicks, W. S., sheriff of Henderson county, act for the benefit of..... 600, 792, 816, 821
Highlands, district of, in the county of Campbell, bill to revise, amend, and reduce into one the acts pertaining to the..... 620, 789, 900, 937
Highland Park Corporation, bill to establish the..... 597, 675, 717, 795
Highways, public, in Clark and Montgomery counties, bill to repeal act to protect the, 95, 113, 126
Highways, public—see Cumberland county.
Hill, H., of Barren county, bill for the benefit of 861, 939, 943
Hill, Mrs. Rebecca C., of Barlow City, in Ballard county, bill for the benefit of... 122, 508
Hillsboro and Wyoming—see Road, turnpike.
Hinklesville—see Town.
Historical Sketches of Kentucky—see Collins'.
Holland, Green V., bill for the benefit of..... 541, 659, 689, 736
Homesteads from sale for debt, act to amend act to exempt..... 92, 204, 235, 304
Hood's Fork of Blain creek a navigable stream, act to declare..... 158, 276, 299, 305
Hopkins county, bill for the benefit of..... 122, 142, 167, 176
Hopkins county—see Dempsey, J. F.
Hopkinsville—see City of Hopkinsville.
Hopkinsville—see Schools, public.
Hopkinsville Coal, Iron Mining, and Manufacturing Company, act to change the name of the..... 477, 575, 617, 638
Hopkinsville Gas and Mining Company, act to incorporate the..... 412, 619, 661
Hotel Company—see Adair.
House for Females and Infirmary for the Sick—see Church.
Howard, Jesse K., school commissioner of Elliott county, bill for the benefit of, 555, 660, 689, 694, 760
Howard, Lark, of Magoffin county, bill for the benefit of..... 268, 296, 334, 352
Howard, Stephen—see Risner, Wm.
Hughlett, W. H., jailer of Simpson county, bill for the benefit of 116, 131, 137
Hunt, Thomas, of Pike county, bill for the benefit of 168, 222, 249, 325
Hurricane pond—see Fish in Green river.
Hustonville—see Town.
Hustonville and McKinney's Station—see Road, turnpike.
Immigration, report of committee on 207
Immigration—see Bureau of Immigration.
Improvement, Coal, Lumber, and Mining Company—see Kentucky River.

Improvement, Coal, Lumber, and Mining Company—see Tradewater River.
Improvement Company—see Big Blane.
Incorporated companies, act to amend act to provide for the organization and regulation of, &c. 96, 119, 164, 236, 255, 304
act to amend act for the organization and regulation of, 667, 766, 841, 898, 922
Incorporated towns, act authorizing to establish work-houses and station-houses, &c., 381, 471, 478, 517
Independence and Big Bone—see Road, turnpike.
Independent Order of Odd Fellows, No. 83, Hickman, Fulton county, bill to incorporate 269, 283, 871, 872, 940
Industrial Exposition—see Grand Central.
Industrial Exposition—see Louisville.
Inebriate Asylum—see Asylum.
Injunction—see Orders of injunction.
Institute—see East Cedar Hill.
Institute—see Louisville Collegiate.
Institute—see Memorial Male and Female.
Institute for the Education of the Children of White Soldiers—see Kentucky.
Institution for the Deaf and Dumb, annual report of 103
Institution for the Deaf and Dumb, M. J. Durham, G. F. Lee, A. S. McGrorty, and Wm. Johnson, appointed Board of Commissioners for the 240
Institution for the Education of the Blind, report of 163
Institution for the Education and Training of Feeble-minded Children, bill to appropriate money for the benefit of the 391, 508, 524, 556
Institution for the Education and Training of Feeble-minded Children, D. Howard Smith, Jas. W. Tate, John Rodman, Will. L. Vories, Stephen Black, Nelson Alley, and Wm. Gibson, appointed Commissioners of 516
Institution of Learning—see Madison county.
Insurance and Banking Company, Louisville, bill to amend act to incorporate the, 421, 692, 756, 806, 809
Insurance and Banking Company—see Western.
Insurance Bureau, act to amend act to establish an 460, 486, 755
Insurance Companies, act to re-enact act to amend act to provide for the incorporation and regulation of fire, marine, &c., and all other than life, 104, 401
act to amend act to amend act for the incorporation and regulation of fire, marine, &c., and all other than life, 650, 902, 935, 944
Insurance Companies—see Resolution, joint.
Insurance Company, Commonwealth, bill to amend the charter of the, 648, 804, 925, 947
Farmers' Mutual, act for the benefit of the 277, 902, 935, 944
German, bill to amend act to incorporate the 679, 756, 806, 844
Kentucky Life, act to amend act to incorporate the 803
Interest on State bonds, statement of amount paid 81
International Congress for the prevention and repression of crime, message of Governor in regard to appointing a delegate to the 747
International Congress—see Resolution, joint.

Ireland, Thos. A., clerk of the Owen county court, act for the benefit of, 277, 554, 594, 628

Iron Company—see Tygart Valley.
Iron and Manufacturing Company—see Cottage Furnace.
Iron Manufacturing Company—see Red River.
Iron and Mining Company—see Riverton.
Iron and Steel Rail Company—see Louisville.
Irvine and Miller's Creek Turnpike Road and Bridge Company, act to amend the charter of the ---------- 563, 628, 924, 931
Irvine and Miller's Creek Turnpike Road and Bridge Company, act to amend the charter of the ---------- 749, 803
Jackson, Levi, presiding judge of the Laurel county court, act for the benefit of ---- 599
Jackson—see Town.
Jackson county, bill to amend act for the benefit of citizens of, in relation to the Wilderness Turnpike Road ---------- 205, 507, 552, 576, 592, 605, 632, 665
Jackson county—see Powell, H. S.
Jailer of Estill county—see Bellis, Wm.
Jailer of Lewis county—see Plummer, Lewis.
Jailer of Livingston county—see Leeper, T. A.
Jailers for keeping pauper lunatics, act to allow compensation to ---------- 604
Jailers—see Clerks.
James, Andrew J., appointed Secretary of State ---------- 73
Jamestown—see Town.
Jefferson circuit court—see Jurors, standing.
Jefferson county, act to provide for advertising of certain judicial sales in, 461, 885, 924, 932

—see Camp, A. E.
—see Courts of justices of the peace.
—see Examiners' fees.
court—see Court, county, of Jefferson.

Jefferson Manufacturing and Mining Company, bill to incorporate the, 597, 766, 878, 927
Jefferson, Oldham, Hall's Landing, and Westport—see Road, turnpike.
Jefferson Southern Pond Draining Company, act to amend act to amend act to incorporate the ---------- 327, 619, 645
Jessamine county—see School district.
Jessamine county—see Smith, Rufus D.
J. M. S. McCorkle Lodge—see Lodge.
Johns, John G., of Floyd county, bill for the benefit of ---------- 476, 660, 689, 737
Johns, M. H.—see Marcum, T. D.
Johnson, John W., allowed to record his vote in favor of the passage of an act to change time of meeting of the General Assembly ---------- 326
Johnson, William, chosen Speaker *pro tem.* ---- 65, 147, 204, 224, 459, 471, 613, 860
Johnson county, bill creating an additional justices' and constable's district in, 454, 757, 806, 820

—see Clerk.
—see Nickell, A. W.

Joint Stock Agricultural and Mechanical Association of Colored People—see Association.

Joint Stock Company—see Good Templars'.
Jones, Allen, late sheriff of Pulaski county, act for the benefit of---- 650, 692, 716, 748
Josh Bell county, bill submitting to the qualified voters of, the question of prohibiting the sale of spirituous liquors in ---------- 540, 772, 817, 843
—see Asher, Dillon.
—see Goodin, John.
—see Line.
—see Road, turnpike, Wilderness.
Journals, resolution directing back sheets of, to be forwarded to Senators---------- 891
Judge, circuit, of the 13th judicial district, act to empower the to fill vacancy in office of master commissioner in chancery for the Bath circuit court---------- 402, 428, 439
Judge, county, of Henry, act for the benefit of the---------- 600, 885, 924, 932
Judge of Lincoln county, bill to authorize the to sell and convey the poor-house property---------- 324, 338, 389, 410
Judge of the Morgan county court—see Lykens, William.
Judge of the Warren circuit court, act to authorize the to sign records, 371, 734, 760, 780
Judge, police—see City of Frankfort.
police—see Town, Hawesville.
police—see Town, Woodville.
presiding, of the Breathitt county court, bill authorizing the to submit to the qualified voters of said county the propriety of imposing a tax for the construction of a bridge across the North Fork of the Kentucky river, near the town of Jackson ---------- 555, 815, 899, 934
presiding, of the Laurel county court—see Jackson, Levi.
presiding—see Nicholas county.
special—see Court, county, of Kenton.
Judges, amount paid to—see Resolution, joint.
Judges, county, act authorizing to call special terms of their courts, and legalizing the proceedings of all special or call terms of said courts---------- ---- 461, 791
Judges of the several courts of this Commonwealth, act authorizing the to sign unsigned orders and judgments in said courts------ 371, 400, 402, 432, 476, 499, 543
Judges *pro tempore* of the county and quarterly courts in this Commonwealth ------ 412
Judges *pro tem.*, of the several circuit, chancery, criminal, and common pleas courts, bill concerning the pay of ---------- 578, 798
Judicial district, 1st—see Courts, circuit.
5th—see Courts, circuit.
9th—see Court, criminal.
11th—see Court of common pleas.
12th—see Courts, circuit.
14th—see Courts, circuit.
15th—see Courts, circuit.
Judicial sales—see Jefferson county.
Jurors, standing, for the Jefferson circuit court, bill to regulate further the drawing of, 205, 231, 255, 325
Justices' district—see Trigg county.
Justices' district—see Washington county.
Justices of the peace in Kenton county, bill to amend act to prevent from holding inquests---------- 391, 517, 573, 637

Justices of the peace—see Webster county.
—see Courts.
Justices' and constable's district—see Johnson county.
Justices' and constable's district—see Ohio county.
Keene, Alderson, T sheriff of Cumberland county, act for the benefit of, 749, 841, 881, 890
Kenton county, bill to provide for appointing an assistant county attorney for, 237, 282, 322, 351
bill for the benefit of ---------- 745, 786, 884, 904
—see Court of claims.
—see Justices of the peace.
—see Walton, John E.
Kenton county court—see Clerk.
Kenton county court—see Court, county, of Kenton.
Kenton and Campbell counties, act to supply public books for ------- 476, 592, 625, 648
Kentucky Agricultural and Mechanical—see Association.
Kentucky Agricultural and Mechanical—see Society.
Kentucky Association for the Improvement of the Breed of Stock—see Association.
Kentucky Central—see Railroad Company.
Kentucky Commercial and Manufacturing Company, act to incorporate the--745, 774, 781
Kentucky and Great Eastern—see Railway Company.
Kentucky Institute for the Education of the Children of White Soldiers, and for the benefit of the common school fund, bill to incorporate the ---------- 847
Kentucky Life—see Insurance Company.
Kentucky River—see Fish.
Kentucky River—see Road, turnpike.
Kentucky River Improvement, Coal, Lumber, and Mining Compony, bill to incorporate the ---------- 132, 178
Kentucky River Navigation Company, bill for the benefit of the ---------- 504, 547, 890
Kentucky River Navigation Company, bill for the benefit of the---------- 836, 855
Kentucky Southern—see Railroad Company.
Kentucky and Tennessee—see Railroad Company.
Kentucky Tobacco Commission and Mining Company, bill to incorporate the -------- 651
Kentucky University, act to continue in force an act to amend the charter of the---- 371
Kentucky—see Bank of Kentucky.
Kidd, Zadock, and Harvey Hall, of Powell county, bill for the benefit of ------- 461, 580
King, Lurany—see Raney, A. J.
Kingston—see Town.
Kingston—see Town, Milton.
Kingston and Boone's Gap—see Road, turnpike.
Kirk, James H., late sheriff of Marion county, bill for the benefit of, 180, 373, 406, 420
Knox county, act supplemental to act for the benefit of---------- 357, 554, 594, 629
—see Line.
—see Road, turnpike, Wilderness.
Knox county quarterly court—see Court, quarterly, of Knox.
Ku-Klux—see Franklin county.
Kuttawa—see Town.
Labor and materials—see Construction or repairs of railroads.
Lagrange and Shelbyville—see Road, turnpike.

Lagrange and Shelbyville—see Railroad Company.
Lancaster—see Miller, W. S.
Lancaster—see Town.
Lancaster Benevolent—see Society.
Lancaster Cemetery Company—see Cemetery.
Land Office, act to increase the salary of the chief clerk of the ---- 836
Land Office—see Register.
Land-owners—see Carter county.
Land sales—see Owen county.
Lands, public, in Kentucky, resolution in regard to ---- 493
Lands, vacant, in the counties of Lawrence, Carter, Floyd, Pike, Perry, Clay, Josh Bell, Johnson, and Letcher, act for the benefit of persons who have entered and surveyed ---- 578, 647, 678, 705
Lands, vacant, in this Commonwealth, bill in relation to ---- 469
Larue county court—see Court, county, of Larue.
Law Institute in Chicago—see Resolution, joint.
Laws, criminal, of this Commonwealth, bill to amend the ---- 505, 776, 806, 809
Laws of evidence—see Evidence.
Laws, general, resolution to print and distribute in pamphlet form ---- 903, 936
Laws, public—see Resolution, joint ---- 764
Lawrenceburg—see Town.
Lawrence county—see Morgan's creek.
Lawrence county court—see Court, county, of Lawrence.
Lawson, P. G., of Warren county, act for the benefit of ---- 207, 460, 478, 517
Lebanon—see Court, police.
Lebanon—see Town.
Lee, Lewis S., late sheriff of Ballard county, bill for the benefit of ---- 128, 158
Lee Academy—see Academy.
Lee county, act for the benefit of ---- 600, 776, 806, 809
Lee county—see Line.
Lee County Lumbering, Mining, and Manufacturing Company, act to incorporate the, 600, 902, 936, 945
Leeper, T. A., jailer of Livingston county, act for the benefit of ---- 749
Leesburg—see Town.
Leestown—see Road, turnpike.
Legislature—see General Assembly, time of convening.
Letcher county, bill to amend act in relation to the sale of spirituous liquors in, 525, 606, 646, 679
bill to prohibit the sale of liquor in ---- 515, 688, 776, 939, 943
—see Courts, county, and quarterly.
—see Blair, Stephen T.
—see Brown, George W.
Levee and Bridge Company—see Falls City.
Levee Company—see Brawner's Patent.
Levee Company—see Mississippi River.
Levee on the Mississippi river—see Fulton county.
Levy and taxation—see Livingston county.
Lewis, George R., bill for the benefit of ---- 71, 94, 129

Lewis, Daniel, of Adair county, bill for the benefit of ---------- 842, 899, 935
Lewisburg and Taylor's Mill—see Road, turnpike.
Lewis county, bill in relation to the collection of the turnpike road tax in, 842, 933, 939
—see Clerks.
—see Game, small.
—see McAndrew, John P.
—see School district.
Lewis and Mason counties, act to amend act to build a turnpike road in---------- 269
Lewis and Mason County—see Road, turnpike.
Lewisport justices' district, in Hancock county, bill to regulate the sale of spirituous liquors in---------- 719, 743, 775, 793
Lexington—see City of Lexington.
Lexington Building and Accumulating Fund—see Association.
Lexington City Passenger—see Railroad Company.
Lexington Library, bill to amend the charter of the, 300, 395, 417, 431, 434, 466, 511, 632, 665
Liberty and Green River—see Road, turnpike.
Librarian, State, George B. Crittenden elected ---------- 248
Librarian, State, act to require the to furnish stationery to the Court of Appeals, 719, 828
Library—see Lexington Library.
Library, Public, of Kentucky—see Public Library.
License to practice law—see Boyd, James Rhea.
Licking river, bill to prohibit the floating or running logs, wood, &c., down the, without rafting the same---------- 598, 729, 813, 824
Licking River Lumber and Mining Company, act to amend act to incorporate the---- 667
Liens—see Receivers.
Limitation—see Statute of limitation.
Lincoln county, bill to amend act to amend act for the benefit of---- 705, 773, 818, 843
bill to amend act for the benefit of---------- 115, 127
—see Judge.
—see Official sales.
Lincoln circuit court—see Clerk.
Lincoln county court—see Court, county, of Lincoln.
Lindon, Jas. W., late sheriff of Breathitt county, bill for the benefit of ---------- 116, 158
Line between the counties of Christian and Caldwell, act to provide for defining and marking the ---------- 292, 349, 388, 403
between the counties of Elliott and Rowan, act to define and locate the, 730, 792, 817, 821
between the counties of Hancock and Ohio, bill to re-run and mark the dividing ---------- 343, 359, 399, 419
between the counties of Owsley and Lee, bill to change the---------- 454, 828
between the counties of Pendleton and Grant, act to repeal act to authorize the marking---------- 563, 792, 816, 821
boundary, of Carroll and Gallatin counties, act to change the, 219, 244, 324, 348, 353, 452
boundary, between the counties of Knox and Josh Bell, bill to change the, 861, 928, 946
boundary, between the counties of Muhlenburg and McLean, act to mark and define the ---------- 229, 378, 406

Line, boundary—see City of Columbus.
Linn, J. C., late sheriff of Calloway county, act for the benefit of--- 527, 692, 716, 748
Linton—see Town.
Liquors, spirituous—see Benson district, Franklin county.
—see Boyd county.
—see Boyle county.
—see Breathitt county.
—see Bryantsville district, No. 4.
—see Carter county.
—see Christian county.
—see Church, East Hickman Baptist.
—see Clay county.
—see College or High School.
—see Crittenden county.
—see Garrard county.
—see Germantown precinct, Clark county.
—see Josh Bell county.
—see Letcher county.
—see Marion county.
—see Mercer county.
—see Morgan county.
—see Nelson county.
—see Owen county.
—see Owsley county.
—see Peak's Mill.
—see Poplar Plains.
—see Pottsville district.
—see Pulaski county.
—see Red River Iron Manufacturing Company.
—see Richland school-house.
—see Rockcastle county.
—see Simpson county.
—see Spencer county.
—see Town, Antioch.
—see Town, Burksville.
—see Town, Claysville.
—see Town, South Carrollton.
—see Town, Spottsville.
—see Town, Stephensport.
—see Todd county.
—see Warren county.
—see Washington county.
—see Webster county.
Lisle, W. J., administrator of Thomas W. Lisle, bill for the benefit of, 122, 130, 156, 169
Listing property—see Washington county.
Litton, W. H.—see Oakley, L. H.
Livery-stable keepers in this Commonwealth, act to extend the provisions of an act for the protection of, to various counties ---------- 520
Livery-stable keepers in McLean county, act for the protection of---- 922, 929, 935, 945

Livingston, Mary W., of Rockcastle county, bill for the benefit of---- 471, 591, 625, 648
Livingston county, bill concerning the county levy and taxation in-- 301, 329, 367, 408
Livingston county—see School district.
Lock and Dam Company—see Green River.
Lockport and Bethlehem—see Road, turnpike.
Lock street from High street to the line of the Louisville and Portland Canal, act to authorize the reduction of ---------- 578, 807, 881, 890
Lodge, Adams, No. 188, I. O. O. F., bill to incorporate---------- 317, 333
Brother's, No. 132, I. O. O. F., in the city of Owensboro, bill to charter, 597, 879, 939, 944
Franklin, No. 28, F. A. M., in Boyle county, bill to incorporate---- 597, 877, 944
Glasgow, No. 65, I. O. O. F., bill to authorize the to issue bonds and buy a lot, 842, 876, 945
J. M. S. McCorkle, No. 355, A. Y. F. M., bill to incorporate the---- 621, 879, 944
Massack, No. 137, I. O. O. F., in McCracken county, bill to incorporate-- 102, 118
McKee, No. 35, I. O. O. F., at Versailles, bill to authorize to issue bonds, 402, 415, 450, 472
McKee, No. 35, I. O. O. F., at Versailles, act to amend section 2d of an act to authorize to issue bonds ---------- 730, 860, 924, 931
Montgomery, No. 23, F. A. M., bill for the benefit of--------- 351, 507, 537, 576
Needham, No. 174, in Caverna, Hart county, I. O. G. T., bill to incorporate, 620, 877, 940, 945
Winchester, No. 20, A. Y. F. A. M., bill for the benefit of---- 735, 789, 926, 947
Logan, E. H., late clerk of the Rowan county and circuit courts, act to extend the time of collecting the fee bills of ---------- 504, 791, 816, 821
Logan county—see Trespasses.
Logs, wood, &c.—see Licking river.
London—see Road, graded.
Louisa—see Town.
Louisville and Brownsboro—see Railway Company.
Louisville Car Wheel and Railway Supply Company, act to incorporate the, 163, 267, 286, 305
Louisville, Cincinnati, and Lexington—see Railroad Company.
Louisville City—see Railway Company.
Louisville College of Pharmacy, bill to incorporate the ---------- 67
Louisville Collegiate Institute, bill to incorporate the---------- 861, 938
Louisville, Harrod's Creek, and Westport—see Railway Company.
Louisville Industrial Exposition, bill for the benefit of the ---------- 763, 789, 884, 904
Louisville Insurance and Banking Company—see Insurance and Banking Company.
Louisville Iron and Steel Rail Manufacturing Company, bill to incorporate the, 597, 677, 776, 882
Louisville, Memphis, and New Orleans—see Railway Company.
Louisville and Nashville—see Railroad Company.
Louisville and Nashville—see Road, turnpike.
Louisville and Portland Canal—see Lock street.
Louisville and Portland canal—see Resolution, joint.
Louisville and Shepherdsville—see Road, turnpike.
Louisville Stock and Bond Board, bill to incorporate the, 576, 677, 704, 737, 748, 749, 762, 775, 793

Louisville Union Depot and Transfer Company, act to incorporate the, 154, 168, 179, 201
Lowell and Spoonsville—see Road, turnpike.
Lucas, Henry C., of Russell county, bill for the benefit of---------- 663, 789, 817, 843
Ludlow—see City of Ludlow.
Ludlow—see Road, turnpike.
Ludlow and Florence—see Road, turnpike.
Ludlow and Pleasant Run—see Road, turnpike.
Lumber and Mining Company—see Licking River.
Lumber, Mining, and Manufacturing Company—see Lee county.
Lunatic Asylums—see Asylums, lunatic.
Lunatics—see Pauper lunatics.
Lunatics, pauper—see Ballard county.
Lykins, Wm., late judge of the Morgan county and quarterly courts, bill for the benefit of---------- 301
Lyon county, bill to establish an additional voting place in election district No. 3, in, 777, 810
—see Manufacturing, furnace, and mining establishments.
—see Birds, small.
Macedonia Church—see Church, Mount Gilead.
Mackville precinct—see Washington county.
Macpelah—see Cemetery Company.
Madison county, bill to enable the to subscribe to, and to provide means for, an institution of learning in Richmond---------- 175, 203, 235, 325
—see Biggerstaff, Samuel.
—see Court of claims.
court—see Court, county, of Madison.
—see Stivers, W. B.
Madison County Stock, Agricultural and Mechanical—see Association.
Madisonville—see Schools, public.
Madisonville—see Town.
Madisonville and Shawneetown Straight-line—see Railroad Company.
Magistrates' and constable's district—see Hardin county.
Magisterial district No. 10—see Union county.
Magoffin county—see Adams, Wm.
—see Arnett, Farish.
—see Deer.
—see Boyes, John D.
—see Gardner, Joseph.
—see Howard, Lark.
Mahoney, W. S.—see Odd Fellows.
Major, S. I. M., elected Public Printer---------- 246
Male and Female High School in the city of Lexington—see School.
Mann's Lick Road—see City of Louisville.
Manufacturing, furnace, and mining establishments, in the counties of Greenup, Boyd, Carter, and Lawrence, bill to amend act for the benefit of, so as to extend the provisions of said act to the counties of Trigg and Lyon---------- 128, 141, 156, 176
Manufacturing Company—see Stove, Grate, and Mantel.
Manufacturing and Mining Company—see Jefferson.

Marble, Lithograph Stone, and Mining Company—see Eastern Kentucky.
Marcum, T. D., and M. H. Johns, act to authorize to erect a boom across Wolf creek, in Martin county 327, 663, 689, 731
Marion county, bill to regulate the sale of liquors in 515, 688, 886
—see Commissioners of the Sinking Fund.
Market Bank—see Bank.
Market-house Company—see Woodland.
Market Street Bank—see Bank.
Married women in this Commonwealth, bill to further protect the rights of 295
Married women—see Estate of married women.
Marshall—see Town.
Martin, A. L., appeared and took his seat 17
Martin, A. L., appointed on committee to provide for voting by ballot for Representatives in Congress 738
Martin county, bill for the benefit of 408, 422, 450, 472
Martin county—see Marcum, T. D.
Martinsburg—see Town.
Martin's Creek—see Fish in Green river.
Mason county—see Lewis and Mason counties.
—see Perrie, Joseph F.
—see Richland school-house.
—see School district.
Massack Lodge—see Lodge.
Master commissioner—see Judge.
Matthews, C. L. S., bill for the benefit of 469
Mattingly, John S., sheriff of Meade county, bill for the benefit of 778, 858, 900, 940
Mattingly Coal Company, act to incorporate the 504, 575, 646, 780
Mayfield—see Town.
Maysville—see City of Maysville.
Maysville Building and Savings—see Association.
Maysville, Flemingsburg, Coal and Iron Region—see Railway Company.
Maysville and Lexington—see Railroad Company.
McAndrew, John P., of Lewis county, bill for the benefit of 886, 922, 938
McCampbell, A., late sheriff of Jessamine county, bill for the benefit of, 778, 805, 884, 904
McClure, George W., coroner of Rockcastle county, bill for the benefit of, 460, 508, 537, 568, 617, 649
McCracken circuit court—see Court, circuit, of McCracken.
McCracken county, bill to facilitate the collection of taxes in 343, 372, 416, 430
bill providing for the assessment of property in for railroad purposes 342, 372, 406, 419
bill to establish an additional voting place in district No. 5, in, 128, 141
bill for the benefit of 342, 372, 406, 419
—see Court of claims.
—see Ewell, John.
—see Myers, Mrs. E. B.
—see School district.
—see Stephens, Ann E.

McCracken county—see Wiley, James B.
McCracken court of common pleas—see Court of common pleas.
McCreery, Thomas C., elected United States Senator 136, 146
McGoodwin, A. L., nominated for Assistant Clerk 14, 16
McKee Lodge—see Lodge.
McLean county, bill to increase the county levy of 122, 130, 156, 176
bill for the benefit of district No. 3, in 301, 328, 367, 408
—see Line, boundary.
—see Livery-stable keepers.
McMurtry, William, of Monroe county, bill for the benefit of 122, 162, 189, 205
McWhorter, James B., late sheriff of Taylor county, bill for the benefit of the sureties of 555, 688, 760, 794
Meade county, act to amend act to provide for the removal and relocation of the county seat of 623
act to provide for the removal and relocation of the county seat of, 115, 126
court—see Court, county, of Meade.
Mechanics' lien law—see Resolution.
Medical science, bill for the promotion of, and to prevent the traffic in dead human bodies 901
Memorial of the American Printing House for the Blind 629
Memorial of Amerian Woman Suffrage Association 489
Memorial of citizens of Franklin county in regard to lawlessness 181
Memorial of College of Physicians and Surgeons of Louisville 193
Memorial of F. Hagan 193
Memorial Male and Female Literary Institute, bill to incorporate the 718, 720
Menifee county—see School district.
Menifee county court—see Court, county, of Menifee.
Mercantile Bank—see Bank.
Mercer county, act prohibiting the sale of liquors in the second magisterial district in 251, 329, 366, 409
—see Fish.
court—see Court, county, of Mercer.
Mercer quarterly court—see Court, quarterly, of Mercer.
Message, regular, of the Governor 19
Metcalfe circuit court—see Court, circuit, of Metcalfe.
Methodist Episcopal, South, of Louisville—see Church.
Middleburg and Liberty—see Road, turnpike.
Midway—see Town.
Milburn—see Town.
Military claims—see Quarter-Master General.
Miller, W. H., nominated for Assistant Clerk 5, 16
Miller, W. S., of the town of Lancaster, bill for the benefit of 901, 940
Miller, Daniel, late sheriff of Lincoln county, bill for the benefit of 139, 168, 176
Millersburg precinct, Bourbon county, bill to prohibit the sale of spirituous liquors in 719, 773, 883, 904
Milton—see Town.
Minett Orphan—see Society.
Mining Company—see Richmond.
Mining and Manufacturing Company—see Great Western.
Mining, Manufacturing, and Shipping Company—see Providence.

Ministers of the Gospel invited to open the Senate with prayer ---------- 57
Mississippi Central—see Railroad Company.
Mississippi River Levee Company, act to incorporate the ---------- 200, 267, 286
Mississippi River Levee Company, bill to amend act to incorporate the, 647, 758, 790, 808
Mitchell, Jas. P., a bill for the benefit of the executors of ---------- 224, 296, 334, 352
Money, bill to appropriate ---------- 861, 862, 871, 935
Monroe county—see McMurtry, Wm.
Montgomery and Bath Counties Associated—see Road, turnpike.
Montgomery circuit court—see Court, circuit, of Montgomery.
Montgomery and clerk—see Sheriffs' and commissioners' sales.
Montgomery—see Town.
Montgomery county—see Clerks.
Montgomery county—see Railroad tax.
—see Roberts, Maggie G.
Montgomery Lodge—see Lodge.
Monument to Chas. S. Morehead—see Resolution, joint.
Monument—see Washington National Monument.
Moore, John, jailer of Green county, act for the benefit of ---------- 563, 807, 881, 934
Moore, O. G., sheriff of Edmonson county, act to legalize the acts of, 412, 434, 478, 517
Morehead—see Court, police, of Ashland.
Morehead, Chas. S.—see Resolution, joint,
Morehead, Mrs. Chas. S.—see Resolution, joint.
Morganfield—see Town.
Morgan, Wilson, sheriff of Clay county, act for the benefit of ---------- 301
Morgan, Wilson, sheriff of Clay county, bill for the benefit of ---------- 656, 860, 924, 931
Morgan county, bill to prohibit the sale of ardent spirits in ---------- 540, 606, 632, 666
Morgan county—see Deer.
Morgan's creek, in Lawrence county, bill to declare a navigable stream, 168, 282, 322, 351
Morgantown—see Town.
Morris, Mason, late sheriff of Edmonson county, bill for the benefit of ---------- 301, 801
Morses—see Town.
Morton, J. H.—see Haly, D. L.
Mount Carmel Baptist—see Church.
Mount Gilead and Macedonia—see Churches.
Mount Sterling—see Town.
Mount Sterling and Levee—see Road, turnpike.
Mount Sterling and Spencer Creek—see Road, turnpike.
Mouth of Drennon and Turner's Station—see Road, turnpike.
Muhlenburg county, bill to prohibit and punish certain trespasses in ---------- 237, 284
Muhlenburg and McLean counties—see Line, boundary.
Mulberry and Consolation—see Road, turnpike.
Muldrow's Hill, Campbellsville, and Columbia—see Road, turnpike.
Mulliken, B. F., of Robertson county, bill for the benefit of ---------- 679, 858, 939
Mullins, Jos. W., constable of Pendleton county, bill for the benefit of ---------- 886
Murphysville—see Road, turnpike.
Myers, E. B., Mrs., of McCracken county, bill for the benefit of ---------- 901

National Construction Company, act to incorporate the ---------- 902, 907, 924, 941
Navigation Company, Kentucky River—see Kentucky River.
Navigation and Manufacturing Company—see Big Sandy.
Navigation, Manufacturing, and Improvement Company—see Boyd County.
Mavigation, Mining, and Manufacturing Company—see Bear Creek.
Nazareth—see Female Literary and Benevolent Institution.
Nebo—see Town.
Needham Lodge—see Lodge.
Neeley, Richard W., bill for the benefit of ---------- 95, 118, 137
Negroes—see Citizens of Kentucky of African descent.
Negro testimony—see Evidence, laws of.
Nelson county, act for the benefit of ---------- 104, 105, 127, 145, 155
bill to prohibit the sale of spirituous liquors in, 251, 330, 350, 389, 410
act for the benefit of ---------- 294, 554, 594, 628
court—see Clerk.
Newbergh Railway and Real Estate Company, bill to incorporate the, 598, 675, 761, 794
New Castle—see Henry county.
New Castle—see Schools.
New Castle and Bethlehem—see Road, turnpike.
New Castle and Eminence—see Road, turnpike.
New Castle and Gray Farm—see Road, turnpike.
New Castle and Kentucky River—see Road, turnpike.
New Jersey, resolutions from the State of, in regard to the Washington National Monument ---------- 680
New Liberty—see Town.
New Liberty Branch—see Road, turnpike.
New Liberty and Owenton—see Road, turnpike.
New Market—see Town.
Newport—see City of Newport.
Newport and Dayton—see Road, turnpike.
Newport Gas-light and Fuel Company, act to incorporate the ---------- 392, 619, 682
Newport Gas-light and Fuel Company, bill to incorporate the ---------- 463, 661
Newport and Cincinnati Bridge, bill to authorize the purchase of the footways of the, 718, 895

New Providence and Princeton—see Railroad Company.
Newspaper—see Yeoman.
Newspapers, resolution directing Sergeant-at-Arms to furnish each Senator three ---- 57
—see Resolution.
—see Sales and warning orders.
Nicholas county, act authorizing the presiding judge of to make further subscriptions to unfinished turnpike roads in said county, 92, 267, 295, 322, 344, 454
act to punish trespasses on inclosed lands in ---------- 163
—see Courts, quarterly.
—see Berry, Harrison.
—see School district.
—see Sheep.
court—see Court, county, of Nicholas.

Nicholasville and Kentucky River—see Road, turnpike, Sulphur Well Branch.
Nickell, A. W., late sheriff of Johnson county, and his securities, bill to continue in force an act for the benefit of ---------- 122, 158, 165, 178, 468, 499, 556
Northern Bank of Kentucky—see Bank.
North Fork of the Kentucky river—see Combs, W. W.
—see Combs, Alexander.
North Middletown—see Town.
North Middletown Deposit Bank—see Bank.
Norton—see Town.
Notaries Public, lists of, 74, 117, 148, 152, 172, 220, 287, 344, 403, 443, 467, 516, 602, 680, 747, 845, 873, 890, 905, 943
Oakley, L. H., and W. W. Letton, of Laurel county, act for the benefit of, 181, 460, 478, 517
Observer and Reporter Printing Company, bill to incorporate the ---- 103, 130, 138, 146
Odd Fellows—see Independent Order.
Odd Fellows, invitation to members of the General Assembly from Capital Lodge to attend dedication of Odd Fellows' Temple ---------- 289
Odd Fellows' and Masonic Temple Company—see Winchester.
Odd Fellows' Widows' Home and Orphans' University, bill to amend act to incorporate the ---------- 323, 347, 412
Officers and soldiers of the 31st Regiment of Enrolled Militia, act to amend act for the benefit of the ---------- 803
Officers, civil—see clerks, sheriffs, jailers, &c.
Officers of the General Assembly—see Resolution, joint.
Official reporters—see Reporters.
Official sales in Boyle and Lincoln counties, act to repeal in part act in relation to, 342, 395, 428, 440
Official sales in Clark, Montgomery, Hickman, Bracken, Fulton, and Shelby counties, bill concerning ---------- 735, 875
Official sales—see Woodford county.
Ohio county, bill to establish an additional justices' and constable's district and voting precinct in ---------- 540, 593
—see Line.
—see School district.
Ohio quarterly court—see Court, quarterly, of Ohio.
Ohio and Mississippi—see Railway Company.
Ohio river—see Resolution, joint.
Ohio River and Tygart's Drain district, in Greenup county, bill to establish the, 342, 372 416, 430
Ohio Valley Contracting and Building Company, for the purpose of building railroads, bridges, &c., act to incorporate the ---------- 886, 933, 938
Ohio Valley—see Railroad Company.
Old State Road and Ripple Creek—see Road, turnpike.
Opium—see Estates.
Orangeburg and Tollsboro—see Road, turnpike.
Orders of injunction in certain cases, bill to provide for ---------- 476, 593
Orders and judgments—see Judges.
Orphanage of the Good Shepherd in the city of Louisville, bill to incorporate the trustees of the ---------- 268, 816, 900, 937

Overseers of public highways—see Cumberland county.
Owen—see Bank of Owen.
Owen county, act repealing parts of an act relating to the advertisement of land sales in ---------- 734, 782
Owen county, bill to prohibit the sale of ardent spirits in ---------- 540, 608
Owen county—see Greenwell, John B.
—see School district.
court—see Court, county, of Owen.
Owensboro—see City of Owensboro.
Owensboro and Indiana Bridge Company, bill to incorporate the ----- 693, 758, 883, 935
Owensboro and Russellville—see Railroad Company.
Owensboro Savings Bank—see Bank.
Owenton—see Town.
Owenton and Twin Creek—see Road, turnpike.
Owingsville Cemetery Company, act to incorporate the ---------- 621
Owsley county, act in relation to the sale of spirituous liquors in ---------- 327, 539, 629
Owsley county—see Line.
Oxley, Isabella, of Rowan county, act for the benefit of ---------- 159, 236, 255, 304
Paducah—see City of Paducah.
Paducah—see University.
Paducah, Benton, and Murray Gravel—see Road Company.
Paducah Gas-light Company, bill to amend the charter of the -- 128, 142, 168, 176, 904
Paducah Gas-light Company, bill to amend the charter of the ---------- 621, 787, 882
Paducah and Gulf—see Railroad Company.
Paducah and Hinkleville Gravel—see Road Company.
Paducah and Illinois Bridge Company, act to amend the charter of the, 405, 411, 414, 627, 661
Paducah and Mayfield Gravel—see Road Company.
Paducah and North Ballard—see Road, turnpike.
Paducah Savings Bank—see Bank.
Paducah and Tennessee—see Railroad Company.
Paducah Universal Deposit and Trading—see Bank.
Pages, pay of—see Resolution, joint.
Paint Lick creek to the mouth of Back creek, bill to prohibit the drawing of seines or fish-nets from ---------- 418, 605, 632, 665
Paintsville—see Town.
Paradise—see Town.
Paris—see City of Paris.
Paris, Georgetown, and Frankfort—see Railroad Company.
Parksville—see Town.
Patterson, Wm. R., of Bath county, bill for the benefit of ---------- 71, 94, 129
Pauper lunatic, bill to provide for the payment of the expenses incurred in keeping a ---------- 807, 837, 927, 932
Pauper lunatics of this Commonwealth, bill concerning ---------- 920, 936, 943
Pauper lunatics—see Jailers.
Pay of judges *pro tem.*—see Judges *pro tem.*
Payne, John B., appointed Director of the Northern Bank of Kentucky ---------- 468
Peak's Mill voting precinct, in Franklin county, bill to prevent the sale of spirituous liquors at retail in ---------- 525, 606, 632, 666

Pearce, Wallingford & Co., act for the benefit of 327, 692, 743, 774, 780
Peddle—see Bridges, Nelson.
Pendleton Building and Savings Association—see Association.
Pendleton Coal, Iron Mining, and Manufacturing Company, act to incorporate the, 578, 902, 936, 945
Pendleton county, act to repeal act to create a board of commissioners of the sinking fund of 638, 647, 678, 705
—see Brumback, R. H.
—see Line.
—see Mullins, James W.
Pendleton County Stock—see Association.
Pendleton Station and Wolf Run—see Road, turnpike.
Pensions, a bill to grant 859
Penitentiary, report of 239
act to provide for the erection of a prison house for females, &c., in the, 379, 433, 440, 554, 573, 628
resolution providing for the purchase of a library for the, 556, 655, 797, 921, 940
resolution to inquire what change is necessary in the construction of the hackle-house in the 750
warehouses, report of commissioners appointed to superintend the building of the 336
for negroes, resolution in relation to building a separate 709
—see Todd, H. I.
People's Bank—see Bank.
Perrie, Joseph F., of Mason county, act for the benefit of 803, 860, 924, 931
Perry circuit court—see Court, circuit, of Perry.
Perry county—see Courts, county, and quarterly.
Petition of commissioners of Meade county 61
of Joseph Griffith 61, 92
of citizens of Rowan county 72
of citizens of school district No. 24, in Mason county 72
of board of trustees of the town of Catlettsburg 78
of citizens of Union county and others 103
of Jas. W. Mullen 122
of citizens of Washington county 122
of citizens of Hardin county 129
of citizens of Scott county 129, 164
of citizens of Tradewater Valley 130
of citizens of Scott county 139, 164
of citizens of Crittenden county 140
of citizens of Laurel and Pulaski counties 140
of citizens of the town of Hopkinsville 150
of Farmington Lodge, No. 382, A. F. and A. M. 157, 173
of citizens of Graves county 157
of citizens of color of Graves county 162
of citizens of Shelby county 176
of the jailer of Lewis county 176
of citizens of Magoffin county 177

Petition of citizens of Magoffin county 177
of F. M. Roberts 181
of citizens of the town of North Middletown 185
of citizens residing in counties near Red river 185
of citizens of Breathitt county 185
of citizens of Jessamine, Mercer, and Woodford counties 185
of citizens of the city of Louisville 185
of citizens of Lewis county 193
of citizens of Gallatin county 193
of justices of the peace of Christian county 196
of citizens of Louisville 196
of citizens of Caldwell and Christian counties 196
of citizens of the town of Burksville 197
of citizens of Laurel county 206
of citizens of Scott county, to change the voting place in Lytle's Fork precinct 234
of sundry circuit court clerks 234
of Moreau Brown 240
of citizens of the town of Edmonton 252
of citizens of color of Mason county 254
of citizens of the town of Bridgeport, Franklin county 256
of citizens of Christian county 284
of citizens of the town of Bardstown 284
of citizens of the town of Morgantown 284
of citizens of Todd county 284
of the school board of the University of the city of Paducah 284
of Wm. J. Hughes and Lincoln Abnee 285
of citizens of the town of Henderson 289
of citizens of Magoffin county 290
of citizens of Knox county 290
of councilmen and citizens of the city of Maysville 317
of citizens of Graves county 326
of citizens of the city of Louisville 343
of citizens of the town of Mayfield 343
of citizens of Gallatin county 357
of citizens of Meade and other counties 370
of citizens of Crittenden county 379
of citizens of the city of Cynthiana 379, 669
of citizens of the town of East Maysville 379
of citizens of Cumberland county 379
of citizens of Grant county 379
of citizens of the town of Crittenden 379
of citizens of Powell county 391
of citizens of school district No. 9, in Jessamine county 402
of Haly, Mahoney & Co. 404, 669
of the directors of the Murphysville Turnpike Road 410
of citizens of Mason county 410
of citizens of Josh Bell and other counties 410

Petition of members of the bar of the town of Piketon ---- 410
of members of the bar of Paintsville ---- 410
of citizens of Boone county ---- 420
of citizens of Grayson county ---- 434, 523
of citizens of Metcalfe county ---- 454
of members of the Louisville bar ---- 454
of justices of the peace of Rowan county ---- 454
of citizens of Caldwell county ---- 454, 505, 523
of citizens of the town of Bowling Green ---- 467
of citizens of Todd county ---- 475
of citizens of Marshall county ---- 475
of citizens of Rockcastle, Laurel, Whitley, and Pulaski counties ---- 475
of citizens of Jessamine county ---- 475
of L. R. Reno ---- 475
of the Union Agricultural Association of Mason and Bracken counties ---- 500
of citizens of the town of Princeton ---- 500
of citizens of Elliott county ---- 500
of F. M. Slunker ---- 505, 568
of Sugar Ridge school district, in Graves county ---- 516
of justices of the peace of Christian county ---- 524
of citizens of Laurel county ---- 542
of officers and soldiers of the 31st Regiment of State Militia ---- 556
of citizens of Metcalfe county ---- 556
of citizens of Rockcastle county ---- 577
of citizens of Sugar Ridge district, Graves county ---- 582
of citizens of Morgan county ---- 598
of citizens of Louisville ---- 616
of citizens of school district No. 50, in Mason county ---- 629
of citizens of Magoffin county ---- 669
of J. W. Davis, late sheriff of Jefferson county ---- 670
of citizens of Harlan county ---- 682
of citizens of the town of Jamestown ---- 694
of citizens of Boyle county ---- 694
of citizens of the town of Caneyville ---- 737
of citizens of Henderson ---- 748
of citizens of Boone county ---- 764
of citizens of Owen and Boone counties ---- 795
of citizens of Cumberland county ---- 795
—see Memorial.
—see Remonstrance.
Pewee Valley Cemetery Company—see Cemetery Company.
Pewee Valley—see Town.
Phister, Elijah C.—see Statute Laws.
Phister, E. C., resignation of ---- 930
Pike county—see Hunt, Thomas.
Pine Knob—see Road, turnpike.
Plewman, Polly—see Walters, James.
Plummer, Lewis, jailer of Lewis county, act for the benefit of ---- 819, 899, 934

Poisonous drugs—see Estates.
Poor-house farm—see Henry county.
Pope, Alfred T., excused from service on committee to provide for voting by ballot for Representatives in Congress 738
Pope, Mrs. Sally M. E., act authorizing to qualify as guardian for the children of Mary Lloyd Hartman 159, 161, 167, 172
Pope street—see City of Louisville.
Poplar Mountain Coal Company, bill for the benefit of 793, 878, 937
Poplar Plains—see Town.
Porch, E. D.—see Cossen, J. E.
Portwood, Ambrose, sheriff of Anderson county, bill for the benefit of, 268, 432, 458, 473
Pottsville district, in Washington county, bill to prohibit the sale of intoxicating liquors in 540, 688, 717, 763
Powell, H. S., of Jackson county, bill for the benefit of 778, 810, 811, 876, 927, 947
Powell county—see Breathitt and Powell counties.
Powell county—see Kidd, Tuddack.
Powell county—see School Commissioner.
Preachers' Aid Society of the Louisville Annual Conference of the M. E. Church, South, act to amend and reduce into one the several acts relating to the, 431, 575, 631, 649
Preachers' Aid Society—see Society.
Presbyterian Church of Augusta—see Church.
Prichard, K. F., appeal from the decision of the Chair by 697
Princeton—see Town.
Princeton, Marion, and Ohio River—see Railroad Company.
Printing Company—see Frankfort Commonwealth.
Printing Company—see Observer and Reporter.
Printing House for the Blind—see American.
Printing, prices of, in various States 570
Printing and Publishing Company—see Transylvania.
Private secretary for the Governor—see Secretary, private.
Proctor Male and Female—see Seminary.
Protective Association—see Association.
Providence Mining, Manufacturing, and Shipping Company, bill to repeal the charter of the 269, 567, 617, 649
Pryse, David, Z. T. Martin, and James M. Beatty, act allowing to construct wharves at their respective landings at Beattyville 600, 628, 662, 681
Public Binder, A. C. Vallandingham elected 247
L. P. Tarlton nominated for 247
bill to repeal act authorizing the Auditor to pay the, 33 per cent. on former rates 196, 231, 241, 242, 451, 455, 417, 423, 473, 630
act in regard to, and his compensation 196, 231, 241, 242
—see Resolution, joint.
Public books—see Books, public.
Public buildings—see Resolution, joint.
Public Library of Kentucky, bill to amend act incorporating the, 116, 131, 148, 254, 321, 436, 442, 478
Public Library of Harrodsburg, bill to incorporate the 278

Public Offices—Fire-Proof Public Offices.
Public Printer, S. I. M. Major elected ---- 245
Samuel R. Smith nominated for the office of ---- 245
act to continue in force an act to increase the compensation to the, 568, 601, 718, 760, 780
report of special committee in regard to compensation of ---- 568
prices paid to in various States ---- 570
—see Resolution, joint, in relation to the election of State officers ---- 106
—see Resolution, joint, in regard to Public Printer and Public Binder, 157
Public Printer directed to print Governor's message ---- 56
bill for the security of persons furnishing labor or materials in the construction of railroads, &c. ---- 78
communication from Secretary of State in regard to books furnished destitute counties ---- 81
statement of amount of interest paid on State bonds ---- 86
report of Eastern Lunatic Asylum ---- 86
report of committee appointed by Commissioners of Sinking Fund to investigate condition of Bank of Kentucky and Bank of Louisville ---- 91
act to amend the laws of evidence ---- 92
bill to incorporate the Exchange Bank and Tobacco Warehouse Company ---- 96
bill to amend act to provide for the organization and regulation of incorporated companies ---- 96
report of Institution for the Deaf and Dumb ---- 104
bill to incorporate the Kentucky River Improvement, Coal, Lumber, and Mining Company ---- 132
bill to amend act to incorporate the Frankfort, Paris, and Big Sandy Railroad Company ---- 132
bill to amend act authorizing the sale of real estate and slaves in which there is a future contingent interest ---- 144
bill to regulate foreign corporations engaged in operating railroads in Kentucky ---- 144
Auditor's statement in regard to condition of Treasury ---- 149
bill to amend the act to incorporate the Cumberland and Ohio Railroad Company ---- 151
bill to amend act to amend chapter 15, title 10, Civil Code of Practice ---- 163
report of the Institution of the Blind ---- 164
report of Quarter-Master General ---- 173
petition of citizens of Franklin county ---- 181
petition from citizens of Louisville in regard to immigration ---- 186, 197
immigration bill and report ---- 220
act to repeal act to amend sections 1 and 3, chapter 47, Revised Statutes ---- 222

Public Printer directed to print act to amend chapter 105, Revised Statutes, weight of coal ---------- 222
special message of Governor in regard to defects in the revenue laws ---------- 227
communication from Louisville Board of Trade in regard to tobacco laws ---------- 238
Penitentiary report ---------- 239
report of commissioners appointed to superintend the improvement of the Big Sandy river ---------- 240
bill to incorporate the Lexington Building and Accumulating Fund Association ---------- 284
bill to suppress disorder in Franklin county ---------- 290
bill to change the time of convening the General Assembly ---------- 293
bill to amend chapter 28, article 4, of the Revised Statutes ---------- 302
bill to amend section 3, article 3, chapter 100, of the Revised Statutes ---------- 302
report of commissioners on fire-proof public offices ---------- 316
bill to amend act to incorporate the Odd Fellows' Home and Orphans' University ---------- 323
bill to amend section 29, chapter 103, of the Revised Statutes ---------- 327
report of commissioners to superintend erection of Penitentiary warehouse ---------- 337
act to incorporate the Contracting and Building Company ---------- 339
Adjutant General's report ---------- 344
memorial from State of Georgia and Governor's message accompanying same ---------- 357
bill to incorporate the Carrsville Silver and Lead Mining Company ---------- 358
bill to authorize courts to require certain sales and warning orders to be advertised in newspapers ---------- 393
bill to amend the charter of the Louisville, Cincinnati, and Lexington Railroad Company ---------- 393
bill to amend section 142 of the Revised Statutes ---------- 405
bill to regulate the fees of Register of the Land Office ---------- 421
resolutions offered by Mr. Wrightson in regard to buoys and lights on western rivers ---------- 424
bill to incorporate the Green River Lock and Dam Company ---------- 432
bill to further provide for the completion of the fire-proof public offices ---------- 444
report of committee to investigate settlement with Newton Craig ---------- 448
substitutes for bill to incorporate Third Lunatic Asylum ---------- 458

Public Printer directed to print bill to amend the charter of the city of Lexington... 458
bill to amend act to establish an Insurance Bureau... 460
bill concerning divorces... 461
bill to amend section 2, chapter 63, article 1, of the Revised Statutes... 461
bill in relation to the office of Quarter-Master General... 461
bill to incorporate the Central Kentucky Inebriate Asylum... 461
resolution to appoint a committee to regulate price of, 467
memorial of American Women Suffrage Association... 491
resolution in regard to public lands in Kentucky... 494
receipts and disbursements of the Treasury during a certain period... 504
bill for the benefit of the Kentucky River Navigation Company... 504
bill to authorize the Mississippi Central Railroad Company to extend road through Kentucky... 506
bill to lay off the State into Congressional Districts, 520, 568
message of Governor vetoing bill to amend the charter of the Elizabethtown, Lexington, and Big Sandy Railroad Company... 547
bill to amend act to revise the Statute Laws and Codes of Practice... 579
bill amending title 5 of the Civil Code of Practice... 579
bill concerning the pay of judges *pro tem*... 579
bill providing for the election of a vice chancellor of the Louisville chancery court... 579
bill to establish a system of public schools for Bowling Green... 579
bill to incorporate the Louisville and Brownsboro Railway Company... 601
bill to amend act to provide for the organization and regulation of incorporated companies... 668
bill to incorporate Brawner's Patent Levee Company, 669
bill to provide for the organization and regulation of, 682
bill in regard to giving power to colleges and high schools to prohibit the selling or vending liquors within one mile of same... 683
bill to amend act authorizing the Commissioners of the Sinking Fund to contract with State banks for interest on State deposits... 731
bill providing for the registration of voters... 731
bill to provide for the preservation of estates of persons addicted to the use of poisonous drugs... 731
bill to amend chapter 84, article 1, of the Revised Statutes, title "Public Roads,"... 731

Public Printer directed to print bill to promote public service in Auditor's Office---- 765
resolutions in regard to appointing delegate to International Congress ---------- 802
bill for the benefit of the Kentucky River Navigation Company ---------- 836
message of Governor in regard to the coast survey--- 847
synopsis of Acts for use of Senators ---------- 891
general laws, in pamphlet form ---------- 903
Publishing Company—see Workman's.
Pulaski county, bill to prohibit the sale of intoxicating liquors in, 540, 688, 776, 817, 843
—see Shepherd, W. S.
court—see Court, county, of Pulaski.
Pulaski and Clinton counties, bill to exempt from the provisions and requirements of an act approved February 11, 1867---------- 839, 884, 903
Punishments—see Crimes and punishments.
Quarry Company—see White Stone.
Quarter-Master General, report of---------- 173
Quarter-Master General, act in relation to the office of the, 461, 486, 547, 562, 573, 629
Quarter-Master General, bill to pay military claims reported by the----562, 855, 870, 939
Quincy—see Town.
Railroad, Citizens' Passenger, of Louisville, bill to amend the charter of the, 596, 675, 703, 746
Railroad, Owensboro and Russellville, bill to amend the charter of the, 128, 156, 203, 224, 249, 325
Railroad, Owensboro and Russellville, bill to amend act to amend the charter of the, 666, 808
Railroad, Louisville and Nashville, bill to regulate the running of trains on the, in the town of Elizabethtown ---------- 793, 876, 940, 945
Railroad, Louisville and Nashville—see Commissioners of the Sinking Fund of Marion county.
Railroad companies, State's stock in certain—see Resolution, joint.
Railroad Company, Bowling Green and Madisonville, act to amend act to incorporate the ---------- 543, 617
Bowling Green and Madisonville, act to amend act to incorporate the ---------- 857, 861, 924, 932
Cincinnati, Covington, and Cumberland Gap, act to amend act to incorporate the---------- 421
Clarksville and Princeton, bill to amend the charter of the, 693, 732, 883, 934
Cumberland Gap and Mississippi River, act to incorporate the--- 739
Cumberland and Ohio, act to amend act to incorporate the, 132, 150, 183, 341, 371, 406, 440
Cumberland and Ohio, act to amend act to incorporate the------ 836
Cumberland River and Big Sandy, bill to incorporate the, 793, 878, 940
Danville and Nashville, bill to incorporate the-------- 391, 404, 649
Elizabethtown and Paducah, bill to amend the charter of the, 324, 357, 456, 415, 450, 472

Railroad Company, Elizabethtown and Paducah, act to amend the charter of the---- 402
Elizabethtown and Paducah, bill to amend act to incorporate the, 745, 814, 926, 946
Elizabethtown, Lexington, and Big Sandy, bill to amend act to incorporate the---------- 95, 750
Elizabethtown, Lexington, and Big Sandy, act to amend the charter of the---------- 599, 745, 774, 781
Elizabethtown, Lexington, and Big Sandy, bill to amend the charter of the--------- 435, 439, 455, 471, 498, 513, 544, 608
Elizabethtown, Lexington, and Big Sandy, act for the benefit of the---------- 504
Elizabethtown, Lexington, and Big Sandy, act to amend the charter of the---------- 745, 804, 927, 932
Elkton and Guthrie City, act to incorporate the---------- 667
Evansville, Henderson, and Nashville—see City of Hopkinsville.
Evansville and Jackson, bill to incorporate the, 746, 811, 828, 860, 869, 928, 942

Frankfort, Paris, and Big Sandy, act to amend act to incorporate the---------- 132, 151, 243, 439, 512, 573, 638
Frankfort, Paris, and Big Sandy, act to amend and explain an act to amend an act to incorporate the---------- 600, 792, 817, 821
Frankfort, Paris, and Big Sandy, act to amend the charter of the, 668, 792, 817, 821

Glasgow, bill to amend the charter of the---------- 692, 731, 790, 808
Hartford, Calhoon, and Morganfield, bill to incorporate the, 763, 839, 927, 943

Kentucky Central, and the Elizabethtown, Lexington, and Big Sandy Railroad Company, act for the benefit of the, 668, 745, 774, 780
Kentucky Southern, bill to incorporate the---------- 793, 876, 940
Kentucky and Tennessee, act to amend act to incorporate the, 600, 792, 838, 898, 922
Lagrange and Shelbyville, act for the benefit of the---------- 735
Lexington City Passenger and Freight, act to amend act to incorporate the----------236, 422, 449, 473
Lexington and Big Sandy—see City of Lexington.
Louisville, Cincinnati, and Lexington, bill to amend the charter of the, 392, 433, 436, 551, 561, 571, 792, 810, 844, 857, 889, 924
Louisville and Nashville, act to amend the charter of the, 236, 282, 322, 352

Madisonville and Shawneetown Straight-line, act to amend the charter of the----------269, 374, 899, 934
Madisonville and Shawneetown Straight-line, act to amend the charter of the----------745, 804
Maysville, Flemingsburg, Coal and Iron Region, bill to incorporate the---------- 391, 434, 612, 616, 658, 678, 679, 694
Maysville and Lexington, Northern Division, bill for the benefit of the----------187, 193, 202, 304

Railroad Company, Mississippi Central, bill to authorize the to extend their road into and through the State of Kentucky, 506, 531, 548, 704, 760, 780
New Providence and Princeton, act to amend the charter of the, 103, 110, 121, 129
Ohio Valley, bill to incorporate the_____603, 792, 838, 898, 922
Owensboro and Russellville, act to amend act to charter the, 692, 703, 732, 746, 790
Paducah and Gulf, bill to amend the charter of the____746, 804, 937
Paducah and Tennessee, act to re-enact act to incorporate the___ 668
Paris, Georgetown, and Frankfort, bill to amend act incorporating the _____ 336, 750
Princeton, Marion, and Ohio River, act to incorporate the, 749, 875, 925, 941
Shelby, act to amend the charter of the_____277, 390, 406
Southern Kentucky, act to incorporate the _____ 739
South Kentucky, bill to amend act to organize the, 67, 121, 137, 137
Uniontown, Princeton, and Southern, act to incorporate the, 187, 336, 366
Westport, Carrollton, and Ghent, act to incorporate the, 327, 792, 838, 923, 941

Railroad purposes—see City of Henderson.
Railroad purposes—see McCracken county.
Railroad tax in Elliott county, bill providing for the collection of____ 777, 804, 926, 947
Railroad stock—see Trigg and Calloway counties.
Railroad tax in Montgomery county, bill to provide for the collection of, 735, 759, 806, 820
Railroad tunnels in this Commonwealth, act to light up_____ 784
Railroad taxes in Bourbon county, bill to extend the time for the payment of, 777, 804, 884, 905, 927
Railroads of this Commonwealth, bill to regulate the charges of the, 563, 639, 672, 695, 708

Railroads, turnpikes, &c.—see Construction and repair of railroads.
Railroads—see Foreign corporations.
Railway, Cincinnati Southern, bill to amend act to authorize the trustees of the to acquire the right of way through certain counties in this Commonwealth, 692, 750, 797, 811, 822, 860, 884, 903
Railway, Cincinnati Southern, bill to authorize the trustees of the to acquire the right of way through certain counties in this Commonwealth, 175, 189, 194, 257, 270, 274, 324, 366, 430
Railway Company, Atlantic and Ohio River, bill to incorporate the, 793, 872, 876, 901, 938
Beall's Branch, act to incorporate the _____ 358
Broadway and Dunkirk, bill to amend act to incorporate the, 743, 775, 793
Citizens' Passenger, of Louisville, act for the benefit of the, 880, 902, 924
Covington Street, bill to amend act to incorporate the, 647, 743, 790, 808

Railway Company, Eastern Kentucky, act to amend the charter of the, 763, 878, 927, 946
Elizabethtown, Lexington, and Big Sandy, and Chesapeake and Ohio Railway Company, act to authorize the to bridge the Big Sandy river 358, 372, 494, 585, 616, 622, 901, 925, 931
Kentucky and Great Eastern, act to amend the charter of the, 96, 106
Kentucky and Great Eastern, bill to amend act to incorporate the, 901, 938
Louisville and Brownsboro, act to incorporate the, 600, 629, 763, 790, 934
Louisville City, act to amend the charter of the, 739, 763, 790, 808
Louisville, Harrod's Creek, and Westport, bill to amend act to incorporate the 113, 118, 125, 126
Louisville, Memphis, and New Orleans, bill to amend act to incorporate the 236
Louisville, Memphis, and New Orleans, bill to amend the charter of the 793, 878, 944
Ohio and Mississippi, act to authorize the to hold and convey real estate in Kentucky 765, 807, 881, 934
Railway and Real Estate Company—see Newbergh.
Ranney, A. J., committee of Lurany King and Susan King, of Estill county, act for the benefit of 650
Ratcliff, John T., and Samuel P. Ratcliff, of Carter county, act for the benefit of 650
Read, J. B., elected Door-keeper 17
Real estate held by joint tenants, tenants in common, or coparceners, act to regulate the sale of 371, 769, 856
Real estate and slaves—see Sale of.
Receiver of public moneys for the land district west of the Tennessee river, James Austin appointed 170
Receivers to release liens retained by deed or mortgage in certain cases, bill to authorize 351, 422, 459, 478
Red River Iron Manufacturing Company, bill to amend act to incorporate the, 336, 359, 378, 401, 416, 440, 613, 625, 638
Red River Iron Manufacturing Company, act to amend act to amend act to incorporate the 543
Red River Iron Manufacturing Company, bill to repeal act prohibiting the selling of spirituous liquors within two miles of the 880
Register of the Land Office, bill to regulate the fees of the 421, 463, 486, 527
Registration of voters in towns and cities, act to amend the election laws so as to provide for the 730, 755, 872
Remonstrance of citizens of Trimble county 113
citizens of the town of Campbellsville 139
the president of the Perryville and Chaplintown Turnpike Road 161
citizens of Meade county 170
board of council and citizens of the city of Hopkinsville 234
citizens of Clay county 289

Remonstrance of citizens of Crittenden county ---- 289
citizens of Bridgeport precinct, Franklin county ---- 317
citizens of Oldham county ---- 317
citizens of the town of Hickman ---- 343
citizens of the town of Union ---- 357
citizens of Bath and Menifee counties ---- 453
citizens of the town of Fitchburg ---- 402
citizens of Caldwell county ---- 467, 505
citizens of Ohio county ---- 474, 669
the stockholders of the Providence Mining, Manufacturing, and Shipping Company ---- 475
citizens of Harlan county ---- 475
citizens of the city of Lexington ---- 477
citizens of Russell county ---- 500
citizens of Jamestown ---- 501
citizens of Owensboro ---- 526
citizens of the town of Caneyville ---- 737
—see Memorial.
—see Petition.

Reporters, official, for the preservation of evidence in certain cases in Jefferson county, bill for the appointment of ---- 418, 468, 515, 595, 637

Resolution, joint, amendatory of a resolution on the death of Hon. Charles S. Morehead ---- 861, 867, 941
appointing committee to examine certain banks and report ---- 71, 86
adopting joint rules of last session ---- 56, 68
asking information in regard to certain insurance companies, 460, 599, 646, 694
calling on Auditor for gross receipts and disbursements of Treasury from 1863 to 1872 ---- 232, 368, 398
calling on Auditor for information in regard to amount paid judges of the various courts ---- 853
directing salutes to be fired on the 8th of January and 22d of February ---- 139, 144, 168, 176
directing Secretary of State to procure various law books and present them to the Law Institute in Chicago ---- 69, 100
directing distribution of surplus funds in Bank of Kentucky, 129, 133, 146, 157
directing Auditor to place resources of the Sinking Fund in the revenue proper ---- 151
directing Governor to have remains of Governor John Adair removed to Frankfort Cemetery, and to erect monuments over the graves of Governors Adair and Breathitt ---- 289, 581, 626, 649
in relation to distribution of Owen's Geological Survey, 369, 380, 426, 459, 478, 526
appointing committee to visit Agricultural College, 408, 428, 429, 440
directing Auditor to draw his warrant on Treasury for sundry sums of money ---- 648, 711, 761, 795
to print and distribute, in pamphlet form, the public laws ---- 764

Resolution, joint, directing Public Printer to print synopsis of public acts.. 767, 929, 936, 945
directing Governor to appoint a delegate to the International Congress for the prevention and repression of crime..... 802, 822, 844
extending the present session of the General Assembly, 887, 899, 910
to extend session until the 29th March 929
fixing day for election of U. S. Senator..... 65, 94, 129
fixing day for the election of State officers..... 177, 224, 240, 249
fixing day for adjournment *sine die*..... 326, 346, 624, 696
fixing day for adjournment of the present General Assembly, 346, 452, 537, 687, 696, 705, 727, 860, 875, 881
for the benefit of B. E. Woodworth..... 614, 654, 767, 818, 844
in relation to a uniform tax on tobacco by the General Government..... 917, 921, 936, 945
in relation to adjournment of the General Assembly on the 28th inst., at 1 o'clock, P. M..... 890, 923
in regard to removal of the Capital..... 254, 321, 775, 783
in regard to distilleries and taxes on same.. 161, 290, 471, 499, 556
in relation to taking of recess..... 140
in relation to disposition of State stock in certain railroad companies..... 113, 143, 156, 169
in relation to the funeral of Mrs. Charles S. Morehead, 129, 133, 146, 157
in relation to the election of State officers 95, 106
in regard to navigation of the Ohio and other Western rivers, 423, 440, 734, 760, 781
in relation to the Louisville and Portland Canal... 910, 921, 936, 946
in regard to the death of Harrison Thompson 184
on the death of Daniel Clark, Ancient Governor... 474, 514, 537, 562
in regard to Public Printer and Public Binder, 157, 165, 189, 206, 249
in relation to pay of officers and members of the General Assembly 63, 115, 126
in regard to tax on cotton levied by the General Government, 63, 68, 77, 94, 123
in regard to public buildings..... 336, 389, 410
instructing Senators and Representatives in Congress to favor appropriation for locking and damming the Ohio river, 343, 360, 399, 420
returning thanks to Hon. Garrett Davis..... 139, 144, 165
on the death of the Rev. R. J. Breckinridge..... 150, 160, 174, 206
on the death of T. S. Fish 288, 323, 353
postponing election of public officers..... 245
providing for a recess of the General Assembly, 103, 108, 121, 129 140
providing pay of pages and other employees of General Assembly, 175, 189, 206
providing for an examination of the charitable institutions of the State..... 224, 293, 336, 389, 410
providing for an extension of the session of the present General Assembly..... 287, 323, 353

Resolution, joint, requesting Commissioners of Sinking Fund to postpone further action in regard to selling stock owned by the State in turnpike roads ---- 64, 115, 126
requesting the Governor to return unsigned a certain bill, 181, 195, 206
to appoint committee to apportion the State into Congressional Districts ---- 78, 95, 103, 121, 123, 133
to appoint committee to revise the revenue laws --- 110, 119, 137, 137
to print general laws in pamphlet form ---- 903, 936
to repeal rule 81 ---- 813, 856
—see Penitentiary.
—see Stanley, W. H.
Resolution appointing committee to inform the House that the Senate is organized and ready for business ---- 17
appointing committee to revise the rules of the Senate ---- 56
appointing committee to investigate settlement with Newton Craig ---- 172
appointing committee to investigate charges against Senator Vories -- 360, 378
appointing committee to inform House that the Senate will be ready to adjourn on the 26th ---- 859
authorizing Chairman of Committee on Religion and Morals to send for persons and papers ---- 380
calling on Commissioners of the Sinking Fund for information in regard to dividend declared by Bank of Kentucky ---- 165
calling on Commissioners of the Sinking Fund for certain information ---- 802
declaring it the pleasure of the Senate to receive suggestions from the Board of Trade of Louisville in regard to the sale and inspection of tobacco ---- 187
declaring that the Senate will not pass any bill after a specified time ---- 919
directing Governor's message to be printed ---- 56
directing Public Printer to print report of Lyttleton Cooke in regard to purchase of State bonds ---- 738
directing back sheets of Journals to be forwarded to Senators ---- 891
directing synopsis of Acts to be printed for use of Senators ---- 891
designating number of Pages to be appointed by the Sergeant-at-Arms --- 75
directing the Sergeant-at-Arms to furnish each Senator three newspapers, 57, 67
directing Sergeant-at-Arms to send letters to homes of Senators during recess ---- 144
directing Committee on Agriculture and Manufactures to report on discrepancies in weight of tobacco in Louisville, &c. ---- 177
directing committee to visit the various charitable institutions of the State, 151
directing Committee on the Judiciary to inquire by what authority Golladay's lotteries are carried on ---- 151
fixing hours of meeting of the Senate ---- 506, 655, 674, 728, 764
granting leave of absence to members to attend the legal convention in Louisville ---- 110
in regard to the death of Dr. Hugh Rodman ---- 433
in regard to charges preferred against Senator Vories ---- 493

Resolution in regard to public lands in Kentucky ---- 493
in regard to number of newspapers furnished members of the Senate ---- 75, 79
instructing Committee on Revised Statutes and Codes of Practice to report a general mechanics' lien law ---- 93
inviting ministers of the gospel to open the sessions of the Senate with prayer ---- 57
limiting time of speaking ---- 713
offered by Mr. Haggard, calling on Auditor for information in regard to public printing ---- 159
of inquiry in regard to public books furnished destitute counties ---- 74, 80
of thanks to officers of the Senate ---- 919
requesting Committee on Finance to report revenues added to the Sinking Fund since 1850, &c. ---- 184
requesting Sergeant-at-Arms to number seats in Senate Chamber ---- 75
requesting the Sinking Fund Commissioners to suspend action under the law directing the sale of stock owned by the State in turnpike companies ---- 57
referring Governor's message to appropriate committees ---- 69
adopting rules of last session for the government of the Senate ---- 56
to add Committee on Immigration and Labor to the standing committees of the Senate ---- 57
to adjourn to enable members to attend the legal convention ---- 110
to appoint committee to inquire into and report what legislation is necessary so carry into effect the act establishing the State House of Reform, 110
to print report of Institution for the Deaf and Dumb ---- 104
to regulate price of public printing ---- 467
to suspend Rule 81 ---- 739
Revenue, bill to change the time of paying the, by sheriffs, into the Treasury, 562, 684, 698, 708, 841
Revenue laws, special message of Governor in regard to defects in ---- 224
Revenue laws—see Resolution, joint.
Revised Statutes, act to amend art. 2, chap. 17, of the ---- 104
act to amend chapter 28 of the, title "Crimes and Punishments," 159, 204, 235, 304
act to amend chapter 28, article 4, of the, title "Crimes and Punishments" ---- 302, 463
act to amend chapter 28 of the, title "Crimes and Punishments" 861, 885, 895, 924, 932
bill to amend act to amend chapter 48 of the, title "Idiots and Lunatics" ---- 236
act to amend act to amend chapter 50 of the, title "Inclosures and Certain Trespasses" ---- 819, 858, 939, 943
act to amend chapter 83 of the, title "Revenue and Taxation," 562, 671, 683, 841, 935, 945
act to amend chapter 84, article 1, of the, title "Public Roads," 506
bill to amend chapter 84, article 1, of the, title "Public Roads," 730
bill to amend chapter 84, article 1, of the, title "Public Roads," 765, 783, 902, 936, 941

Revised Statutes, bill to amend act to amend chapter 84, of the, title "Roads and Passways" ---- 886, 923, 938
bill to amend chapter 105 of the—weight of coal, 185, 221, 465, 554, 798
bill to amend chapter 107 of the-- 151, 183, 189, 194, 197, 200, 204
bill to amend chapter — of the, title "Crimes and Punishments"-- 730
bill to repeal act to amend section 1, article 3, chapter 47, of the, 179, 221, 243, 253, 272, 326
act to amend section 1, article 1, chapter 4, of the, 183, 349, 388, 403
act to amend section 1, article 21, chapter 28, of the, 173, 841, 881, 890
bill to amend section 2, article 5, chapter 32, of the, 369, 676, 702, 747
bill to amend section 2, article 13, chapter 36, of the, 204, 252, 272, 326
act to amend section 2, article 2, chapter 48, of the ---- 654
act to amend section 2, chapter 63, article 1, of the, title "Limitation of Action and Suits" ---- 461, 769
bill to amend section 2 of act to amend chapter 84 of the, title "Roads and Passways" ---- 779
act to amend section 3 of act to amend section 3 of article 3, chapter 58, of the ---- 431
bill to amend section 3, article 3, chapter 100, of the---- 302, 347, 381
bill to amend section 3, chapter 102, of the, title "Treasury Warrant Claims" ---- 861, 928, 946
bill to amend sections 4 and 5, article 2, chapter 32, of the---- 102, 141
act to amend section 4, article 2, chapter 83, of the, regulating tax on theatrical performances ---- 163, 204, 235, 304
bill to amend section 4, article 1, chapter 99, of the, 300, 396, 404, 448, 455, 456
bill to amend section 5, article 2, chapter 83, of the ----103, 141
act to amend section 5, article 2, chapter 83, of the, title "Revenue and Taxation" ----171, 267, 286, 305
act to amend section 6, article 6, chapter 32, of the, title "Elections," ---- 124, 204, 235, 304
act to amend section 7, chapter 105, of the, in relation to weights and measures---- 379, 860, 924, 931
act to amend section 8, article 25, chapter 28, of the---- 283, 350, 410
bill to repeal section 12, article 12, chapter 32, of the ---- 278
act amending section 13, chapter 30, of the, title "Descent and Distribution" ----292, 349, 388, 403
bill to amend section 17, chapter 24, of the----350, 395, 428, 440
bill to amend section 20, article 1, chapter 91, of the, 472, 507, 538, 576
act to amend section 26, chapter 80, of the, title "Real Estate," 73, 93, 99, 121
act to amend section 28, chapter 103, of the, title "Turnpike and Plank Roads" ---- 405, 692, 707, 760, 780
act to amend section 29, chapter 103, of the, 327, 347, 454, 841, 898, 922

—see Creditor.

Richland school-house, in Mason county, act to prohibit the sale of spirituous liquors within one mile of ---- 293, 335, 348, 353, 452
Richmond—see Town.
Richmond Benevolent—see Society of Colored Persons.
Richmond Mining Company, bill to incorporate the ---- 596, 877, 944
Richmond, Union Meeting-house, and Kentucky River—see Road, turnpike.
Rich Pond—see Town.
Rio Bridge Company, bill to amend chapter 315 of Acts of 1869-'70, to incorporate, 621, 758, 882, 904
Risner, Wm., and Charles Menix, sureties of Stephen Howard, sheriff of Magoffin county, bill for the benefit of ---- 807, 839, 900, 938
Riverton Iron and Mining Company, bill to incorporate the ---- 268, 328, 366, 409
Road Company, Paducah, Benton, and Murry Gravel, act to amend the charter of the, 73, 95, 121, 123
Paducah, Benton, and Murray Gravel, act to amend the charter of the, 682
Paducah and Hinkleville Gravel, bill to incorporate the, 664, 788, 882, 933
Paducah and Mayfield Gravel, bill to incorporate the, 664, 788, 883, 904
Valley Turnpike and Gravel, bill to amend the charter of the, 887, 897, 940
Road, graded, from London, Laurel county, to Booneville, Owsley county, act to amend act establishing a ---- 779, 805, 939
Road law in Bracken county, bill to amend act to amend the ---- 368, 394, 428, 440
Road law of Union county, bill to amend the ---- 270, 414, 450, 472
Road, public, leading from Bardstown to Elizabethtown, act discontinuing so much of the, as lies within one mile of Bardstown ---- 67, 95, 120, 123
Road, State, in Trigg county, bill to empower the overseer of the, to make a change in, 779, 805, 884, 905
Roads, public, in Butler county, bill to provide for the improvement of the, 269, 297, 335, 352
Roads, public—see Revised Statutes.
Roads—see Court, county, of Warren.
Roads, turnpike—see Bath county.
—see Courts, county.
—see Harrison county.
—see Scott county.
—see stock owned by the State.
—see Washington county.
Alexandria and Flagg Spring ---- 472, 507, 538, 577
Allensville ---- 139, 171, 189, 206
Augusta and Dover ---- 277, 359, 393, 419
Augusta and Minerva ---- 276, 359, 398, 419
Ballardsville and Christiansburg ---- 504, 628, 661, 681
Bank Lick and Lexington Road Junction ---- 647, 758, 790, 808
Bardstown and Fairfield ---- 664, 787, 925, 942
Bardstown and Green River ---- 227, 267, 286, 305
Beard's Station, Floydsburg, and Akin ---- 418, 432, 459
Beech Fork and Simpson's Creek ---- 270, 296, 335, 352

Road, turnpike, Blue Lick 597, 757, 882
Brookville and Rock Spring 77, 97, 121, 129
Cabin Creek 270, 412, 450, 472
Cabin Creek, Sand Hill, and Manchester 842, 879, 928, 946
Campbell 269, 414, 449, 472
Carlisle and Jackstown 92, 127, 145
Carlisle and Jackstown 371, 663, 689, 731
Carrollton and Eagle Creek 693, 773, 782
Catnip Hill 504, 628, 661, 681
Childsburg and Clintonville 597, 757, 790, 808
Clark and Montgomery 735, 758, 806, 820
Cloverport and Hardinsburg 663, 788, 883, 905
Covington and Lexington 270, 296, 335, 352
Crab Orchard and Crew's Knob 648, 758, 790, 808
Cross Roads and Cornishville 621, 758, 882, 904
Dix River and Lancaster 128, 142, 167, 176
Dry Creek and Covington 301, 329, 367, 409
Eagle Creek, Dallasburg, and Bethel 277, 627, 661
Elizaville and Elizaville Station 886, 922, 937
Elizaville and Fairview 842, 879, 927, 946
Eminence and Smithfield 664, 787, 817, 843
Eminence and Sulphur Station 693, 773, 883, 903
Fisherville and Buck Creek 664, 787, 883, 904
Flat Rock and Floyd's Fork 664, 788, 883, 904
Fox Run and Lagrange 664, 788, 883, 904
Fry's Creek 621, 758, 882, 934
Garrard County and Kirksville 180, 195, 206
Georgetown, Oxford, and Leesburg 596, 757, 790, 808
Germantown and Bridgeville 665, 787, 883, 904
Germantown and North Fork 664, 788, 883, 905
Ghent and Eagle Creek 664, 787, 817, 843
Goshen, Oldhamsburg, and Sligo, 196, 395, 417, 449, 577, 758, 765, 801, 896, 926
Goshen, Oldhamsburg, and Sligo 735
Grassy Lick 735, 759, 806, 820
Hanging Fork and Green River 663, 732, 761, 794
Harrodsburg and Chaplin River 664, 788, 947
Harrodsburg and Cornishville 897
Henry, Oldham, and Jefferson 418, 432, 459, 473
Hillsboro and Wyoming 842, 879, 937
Hustonville and McKinney's Station 663, 732, 761, 794
Independence and Big Bone 270, 296, 335, 352
Jefferson, Oldham, Hall's Landing, and Westport 597
Kingston and Boone's Gap 664, 788, 925, 932
Kentucky River 369, 395, 428, 440
Lagrange and Shelbyville 759, 883, 905
Leestown 576, 757, 882, 905
Lewis and Mason County 749
Lewisburg and Taylor's Mill 92, 121, 137, 137

Road, turnpike, Liberty and Green River---621, 758, 882
Lockport and Bethlehem---664, 788, 925, 947
Louisville and Nashville---667, 885, 935, 941
Louisville and Shepherdsville---431, 618, 646, 667
Ludlow---155, 267, 286, 305
Ludlow and Florence---270, 296, 349, 370, 453, 457
Ludlow and Pleasant Run---155, 402, 415
Lowell and Spoonsville---745, 789, 818, 843
Middleburg and Liberty---392, 619, 645, 666
Montgomery and Bath Counties Associated---139, 171, 189, 205
Mount Sterling and Levee---369, 395, 428, 439
Mount Sterling and Levee---735, 759, 806, 820
Mount Sterling and Spencer Creek---390, 507, 573, 637
Mount Sterling and Spencer Creek---731
Mouth of Drennon and Turner's Station, 664, 788, 795, 811, 925, 932
Mulberry and Consolation---187, 267, 286, 305
Muldrow's Hill, Campbellsville, and Columbia---842, 879, 937
Murphysville---411, 677, 681
Murphysville---411, 619, 631, 647, 649
New Castle and Bethlehem---693, 773, 806, 820
New Castle and Eminence---411, 647, 677, 681
New Castle and Gray Farm---664, 759, 871, 925, 943
New Castle and Kentucky River---342, 359, 398, 419
New Liberty Branch---575, 757, 790, 808
New Liberty and Owenton---596, 676, 776, 882
Newport and Dayton---300, 329, 366, 408
Nicholasville and Kentucky River—see Sulphur Well Branch.
Old State Road and Ripple Creek---301, 414, 450, 472
Orangeburg and Tollsboro---664, 788, 883, 934
Owenton and Twin Creek---187, 618, 645, 666
Paducah and North Ballard---269, 415, 459, 595, 638
Pendleton Station and Wolf Run---693, 773, 883, 903
Pine Knob---224, 252, 272, 326
Richmond, Union Meeting-house, and Kentucky River, 269, 296, 335, 352
Salt Lick, Esculapia, and Mount Carmel---276, 329, 366, 409
Shelbyville and Burk's Branch---664, 787, 883, 904
Shepherdsville and Belmont Furnace---842, 878, 928, 946
Silas and Townsend---621, 758, 882, 934
Simpsonville and Buck Creek---664, 788, 883, 934
Smithfield and Pendleton---504, 628, 661
Smithfield and Shelbyville---693, 773, 817, 843
Southside---327, 627, 661, 682
Stamping Ground and Long Lick---392, 691, 716, 748
Stanford and Milledgeville---664, 732, 790, 808
Steele's---664, 787, 925, 942
Stoner Run and Kentucky River---277, 329, 366, 409
Sulphur Well Branch of the Nicholasville and Kentucky River, 663, 787, 882, 904

Road, turnpike, Tuckyhoe Ridge ---- 411, 619, 646, 666
Union and Richwood ---- 270, 329, 357, 455, 592, 776, 881, 904
West Liberty and Cross Roads ---- 187, 596, 689, 780
White Oak ---- 269, 296, 349, 370, 452, 457
Wilderness ---- 116, 507, 552, 576, 592, 605, 632, 665, 679, 689
Wilderness ---- 116, 592, 605, 632, 665, 689
Winchester and Red River ---- 576, 757, 806, 820
Winchester and Red River Iron Works ---- 369, 495, 428, 439
Winchester and Muddy Creek ---- 350, 432, 458, 473
Roberts, F. M., act for the benefit of ---- 393
Roberts, George W.—see Goodin, Benj.
Roberts, Maggie G., of Montgomery county, bill for the benefit of ---- 735, 789, 860, 936
Roberts, W. A., late sheriff of Boone county, act for the benefit of ---- 582
Robertson county—see Court of claims.
Robertson county—see Mulliken, B. F.
Rockcastle county, bill to amend act prohibiting the sale of intoxicating drink in, 541, 606, 646, 679
—see Court of levies and disbursements.
—see Livingston, Mary W.
—see McClure, Geo. W.
Rockcastle river, act appropriating $1,000 for the purpose of removing obstructions from, between the mouth of said river and Sublimity Mills ---- 670
Rodman, Hugh, resolutions in regard to the death of ---- 433
Ross, J. B., former sheriff of Ballard county, bill for the benefit of ---- 471, 815, 939, 943
Rowan county—see Line.
Rowan county—see Oxley, Isabella.
Rowan county clerk—see Logan, E. H.
Rule eighty-one—see Resolution, joint.
Rule eighty-one, motion to suspend ---- 710, 739, 766
Rules of last session adopted ---- 56
Rules, joint, of last session adopted ---- 56
Rules, committee appointed to revise the ---- 56
Russell circuit court—see Court, circuit, of Wayne.
Russell county—see Lucas, Henry C.
Russell's creek, in Green county, act to repeal all laws heretofore passed declaring a navigable stream ---- 318, 663, 689, 731
Ryal, B. F., jailer of Cumberland county, act for the benefit of ---- 220, 460, 478, 517
Ryan, Michael, of Simpson county, and Major Fields, of Ballard county, bill for the benefit of ---- 102, 119, 150
Sale of real estate and slaves in which there is a future contingent interest, act to amend act authorizing the ---- 143, 165, 236, 244, 255, 841, 898
Sale of real estate and slaves in which there is a future contingent interest, bill to amend the third section of act authorizing the ---- 461, 885, 922, 924, 932
Sale of real estate held by joint tenants—see Real estate.
Salem Church—see Church.
Sales—see Official sales.
Sales and warning orders to be published in a newspaper in the county of Shelby, bill requiring certain ---- 177, 514

Sales and warning orders, bill to authorize courts to require certain to be advertised in newspapers ---- 392, 769, 854
Salt Lick, Esculapia, and Mount Carmel—see Road, turnpike.
Salt River—see Beech Fork.
Salt River College—see College.
Salt wagons—see Road, turnpike, Wilderness.
Salutes—see Resolution, joint.
Samuels, W. T., nominated for Clerk ---- 5
Samuels, W. T., nominated for Assistant Clerk ---- 12, 13
School for Boys—see St. Joseph's Industrial.
School, colored, in the city of Henderson, act to amend act to establish a ---- 251, 257, 305
School, colored, in the city of Paducah, bill to amend act to establish a ---- 159
School commissioner—see Breckinridge county.
School commissioner of Powell county, act for the benefit of the ---- 461, 580, 581
School districts in Barren county, act for the benefit of common ---- 859
of the county of Campbell, bill to provide for the redistricting of the, 542, 591, 625, 648
in Catlettsburg, bill giving the trustees of the, the right to levy a tax to build a school-house ---- 541, 591, 625, 648
in Clinton county, bill to amend act for the benefit of, 430, 468, 499, 556
in Cumberland county, act for the benefit of ---- 227, 267, 286, 305
No. 16, in Fulton county, bill for the benefit of ---- 541, 591, 625, 648
No. 41, in Green county, act for the benefit of ---- 650, 776
No. 3, in Hancock county, bill for the benefit of ---- 719, 757, 806, 820
No. 19, of Hancock county, bill for the benefit of ---- 542, 660, 690, 793
No. 8, in Hart county, bill for the benefit of ---- 95, 124, 146, 157
No. 8, in Lewis county, act for the benefit of ---- 132, 147, 156, 162
No. 8, in Lewis county, act to repeal act for the benefit of the, 504, 540, 594
No. 23, in Livingston county, bill for the benefit of ---- 139, 158, 174, 205
No. 50, in Mason county, act for the benefit of ---- 650, 860, 924, 931
No. 4, in McCracken county, bill authorizing the trustees of to levy a tax for the erection of school buildings ---- 542, 591, 626, 649
No. 2, in Menifee county, act for the benefit of ---- 650, 718, 760, 780
No. 26, in Nicholas county, act for the benefit of ---- 302, 539, 629
No. 26, in Nicholas county, bill for the benefit of ---- 578, 629
No. 1, of Ohio county, act for the benefit of ---- 781, 903, 936, 941
No. 26, in Ohio county, bill for the benefit of ---- 542, 591, 625, 648
No. 35, in Owen county, act for the benefit of ---- 504, 554
No. 12, in Woodford county, bill for the benefit of ---- 342, 358, 398, 419
No. 60, in Scott county, act for the benefit of ---- 859, 903, 936, 941
Sulphur Well, in Jessamine county, act for the benefit of, 504, 555, 594, 638
No. 38, in Trigg county, bill for the benefit of ---- 542, 660, 690, 737
White Sulphur, in Scott county, act for the benefit of ---- 296, 334, 352
School fund—see Kentucky Institute.
School, graded, at St. James' College, Shelby county, bill to amend act to establish a, 541, 590, 625, 649

School, High—see College or High School.
School-houses to be erected in the Eighth and Ninth Congressional Districts, bill to amend act to cause good ---- 613, 625, 660, 736
School-houses to be erected in the Eighth and Ninth Congressional Districts, bill to amend act to cause good ---- 541, 591, 648, 690
School-houses to be erected in the First and Ninth Congressional Districts, bill to cause good ---- 886
School laws in the city of Owensboro, bill to amend act amending the, 792, 815, 884, 904
School property—see Smith, N. F.
School, Washington Scientific, in Mason county, act to incorporate the, 504, 540, 594, 628
Schools and academy—see City of Newport.
Schools, common, in Campbell county, act empowering the trustees of to levy a tax for the purpose of buying lands and building school-houses, 555, 661, 900, 937
in the town of Corydon, Henderson county, bill to establish a system of ---- 541, 592, 691, 882, 934
in Greenup, Boyd, and Carter counties, bill providing for levying a tax in aid of ---- 541, 591, 625, 793
in Kentucky, bill for the benefit of ---- 542, 591, 625, 648
of the city of Paducah, act for the benefit of ---- 139, 158, 298
Schools, Male and Female High, in the city of Lexington, bill for the establishment of, &c. ---- 577
Schools in New Castle, Henry county, act for the benefit of ---- 861, 896, 906
Schools, public, free, for the city of Bowling Green, act to establish a system of ---- 579, 769
in the town of Carrollton, bill for the better organization of, &c., 541, 591, 625, 794
in the city of Henderson, act to amend act to organize and establish a system of ---- 650
in the city of Hopkinsville, bill to organize and establish a system for white children, ---- 541, 659, 702, 746
in the town of Madisonville, in the county of Hopkins, bill to organize and establish a ---- 251, 296, 370, 452, 457
in the city of Owensboro, bill to amend act to organize and establish a system of for white children ---- 542, 659, 702, 746
Scott county, bill for the benefit of turnpike roads in ---- 745, 788, 818, 844
—see School district.
—see Trespasses.
Scuffletown Fence Company, bill to incorporate the ---- 269, 677, 776, 817, 844
Sebree, Norman, of Boone county, bill for the benefit of ---- 887, 940
Second German Protestant Benevolent—see Society.
Secretaries of courts to take down evidence, act authorizing the appointment of ---- 392
Secretary, private, for the Governor, act to provide a ---- 751
Secretary of State, Andrew J. James appointed ---- 73
Seminary, Butler, bill to amend act to reduce into one the several acts regulating the, 621, 660, 690, 736
Dover, bill to repeal act granting the trustees of, the power to control the public school fund of district No. 2, in Mason county ---- 542, 660, 690, 794

Seminary, Female, of the city of Paducah, act for the benefit of the 505, 540, 629
Fleming county, bill for the benefit of 542, 660, 690, 736
Hancock, bill to authorize the trustees of the, to dispose of a lot of ground in Hancock county 621, 688, 761, 794
Hardin County Male, bill to authorize the school commissioner of Hardin county to sell the property known as the 779, 926, 947
Proctor Male and Female, in Lee county, bill to incorporate, 542, 660, 690, 736
Senator, U. S.—see Resolution, joint.
Senators, list of 3
Sergeant-at-Arms, D. D. Sublett elected 16
Sergeant-at-Arms to appoint pages, &c.—see Resolution.
Sheep in this Commonwealth, bill to amend act for the protection of 555, 659, 690, 737
Sheep in this Commonwealth, act to repeal act to amend act for the protection of 578
Sheep in the counties of Nicholas, Gallatin, and Fleming, act for the protection of, 461, 555, 651, 677, 681
Shellburn, Monroe T., of Ballard county, bill for the benefit of 180, 222, 249, 325
Shelby—see Railroad Company.
Shelby county, act to create an additional voting precinct in 77, 97
—see Sales and warning orders.
court—see Court, county, of Shelby.
Shelbyville and Burk's Branch—see Road, turnpike.
Shepherdsville and Belmont Furnace—see Road, turnpike.
Shepperd, W. S., of Pulaski county, bill for the benefit of 887, 923, 928
Sherburn Bridge Company, bill to repeal act to amend act incorporating the, 620, 757, 790, 808
Sheriffs for conveying convicts to the penitentiary, act to authorize the Auditor to settle claims of 171, 251, 257, 305
Sheriffs of this Commonwealth, bill for the benefit of certain late 655
Sheriffs' and commissioners' sales of real estate in the counties of Montgomery and Clark, act concerning the advertisement of 667
Sheriffs—see Civil officers.
Sheriffs—see Clerks.
Sheriffs—see Revenue.
Sheriffs, acts, &c., concerning, in the counties of—
Anderson 268, 432, 458, 473
Ballard 128, 158, 471, 815, 939
Boone 582, 836
Bracken 471, 517
Breathitt 116, 158, 730, 841
Calloway 527, 692, 716, 748, 861, 928
Clay 138, 167, 205, 301, 656, 860, 924, 931
Clinton 476, 583, 632
Cumberland 749, 841, 881, 890
Edmonson 301, 412, 478, 517, 801
Henderson 600, 792, 816, 821
Henry 600, 902, 936, 941
Hickman 778, 860, 899, 934
Jessamine 778, 805, 884, 904
Johnson 122, 158, 165, 178, 468, 499

School, High—see College or High School.
School-houses to be erected in the Eighth and Ninth Congressional Districts, bill to amend act to cause good ---- 613, 625, 660, 736
School-houses to be erected in the Eighth and Ninth Congressional Districts, bill to amend act to cause good ---- 541, 591, 648, 690
School-houses to be erected in the First and Ninth Congressional Districts, bill to cause good ---- 886
School laws in the city of Owensboro, bill to amend act amending the, 792, 815, 884, 904
School property—see Smith, N. F.
School, Washington Scientific, in Mason county, act to incorporate the, 504, 540, 594, 628
Schools and academy—see City of Newport.
Schools, common, in Campbell county, act empowering the trustees of to levy a tax for the purpose of buying lands and building school-houses, 555, 661, 900, 937
in the town of Corydon, Henderson county, bill to establish a system of ---- 541, 592, 691, 882, 934
in Greenup, Boyd, and Carter counties, bill providing for levying a tax in aid of ---- 541, 591, 625, 793
in Kentucky, bill for the benefit of ---- 542, 591, 625, 648
of the city of Paducah, act for the benefit of ---- 139, 158, 298
Schools, Male and Female High, in the city of Lexington, bill for the establishment of, &c. ---- 577
Schools in New Castle, Henry county, act for the benefit of ---- 861, 896, 906
Schools, public, free, for the city of Bowling Green, act to establish a system of ---- 579, 769
in the town of Carrollton, bill for the better organization of, &c., 541, 591, 625, 794
in the city of Henderson, act to amend act to organize and establish a system of ---- 650
in the city of Hopkinsville, bill to organize and establish a system for white children, ---- 541, 659, 702, 746
in the town of Madisonville, in the county of Hopkins, bill to organize and establish a ---- 251, 296, 370, 452, 457
in the city of Owensboro, bill to amend act to organize and establish a system of for white children ---- 542, 659, 702, 746
Scott county, bill for the benefit of turnpike roads in ---- 745, 788, 818, 844
—see School district.
—see Trespasses.
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Secretary, private, for the Governor, act to provide a ---- 751
Secretary of State, Andrew J. James appointed ---- 73
Seminary, Butler, bill to amend act to reduce into one the several acts regulating the, 621, 660, 690, 736
Dover, bill to repeal act granting the trustees of, the power to control the public school fund of district No. 2, in Mason county ---- 542, 660, 690, 794

Seminary, Female, of the city of Paducah, act for the benefit of the 505, 540, 629
Fleming county, bill for the benefit of 542, 660, 690, 736
Hancock, bill to authorize the trustees of the, to dispose of a lot of ground in Hancock county 621, 688, 761, 794
Hardin County Male, bill to authorize the school commissioner of Hardin county to sell the property known as the 779, 926, 947
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Senator, U. S.—see Resolution, joint.
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Sheep in this Commonwealth, bill to amend act for the protection of 555, 659, 690, 737
Sheep in this Commonwealth, act to repeal act to amend act for the protection of 578
Sheep in the counties of Nicholas, Gallatin, and Fleming, act for the protection of, 461, 555, 651, 677, 681
Shellburn, Monroe T., of Ballard county, bill for the benefit of 180, 222, 249, 325
Shelby—see Railroad Company.
Shelby county, act to create an additional voting precinct in 77, 97
—see Sales and warning orders.
court—see Court, county, of Shelby.
Shelbyville and Burk's Branch—see Road, turnpike.
Shepherdsville and Belmont Furnace—see Road, turnpike.
Shepperd, W. S., of Pulaski county, bill for the benefit of 887, 923, 938
Sherburn Bridge Company, bill to repeal act to amend act incorporating the, 620, 757, 790, 808
Sheriffs for conveying convicts to the penitentiary, act to authorize the Auditor to settle claims of 171, 251, 257, 305
Sheriffs of this Commonwealth, bill for the benefit of certain late 655
Sheriffs' and commissioners' sales of real estate in the counties of Montgomery and Clark, act concerning the advertisement of 667
Sheriffs—see Civil officers.
Sheriffs—see Clerks.
Sheriffs—see Revenue.
Sheriffs, acts, &c., concerning, in the counties of—
Anderson 268, 432, 458, 473
Ballard 128, 158, 471, 815, 939
Boone 582, 836
Bracken 471, 517
Breathitt 116, 158, 730, 841
Calloway 527, 692, 716, 748, 861, 928
Clay 138, 167, 205, 301, 656, 860, 924, 931
Clinton 476, 583, 632
Cumberland 749, 841, 881, 890
Edmonson 301, 412, 478, 517, 801
Henderson 600, 792, 816, 821
Henry 600, 902, 936, 941
Hickman 778, 860, 899, 934
Jessamine 778, 805, 884, 904
Johnson 122, 158, 165, 178, 468, 499

Sheriffs, acts, &c., concerning, in the counties of—
Lincoln ---- 139, 176
Magoffin ---- 777, 807
Marion ---- 180, 373, 406, 420
McCracken ---- 469, 478, 526, 682, 861, 924, 931
Meade ---- 454, 506, 675, 702, 746, 778, 858, 900, 940
Menifee ---- 268, 297, 350, 389, 409
Mercer ---- 143, 179, 188, 202
Morgan ---- 777, 839, 926
Nicholas ---- 159, 236, 255, 302, 350, 388, 404
Ohio ---- 555, 591, 626, 649, 921
Owen ---- 781
Pendleton ---- 809
Perry ---- 454, 507, 538, 555, 576, 657, 695, 783, 882, 904
Pulaski ---- 650, 716, 748
Robertson ---- 431, 555, 628
Rockcastle ---- 122, 142, 167, 205
Rowan ---- 132, 179, 202
Taylor ---- 555, 688, 794
Trimble ---- 897
Union ---- 128, 137
Woodford ---- 692, 794
Shippers' Tobacco Bank—see Bank.
Silas and Townsend—see Road, turnpike.
Silver and Lead Mining Company—see Carrsville.
Silvertooth, Geo. W., nominated for Assistant Clerk ---- 5
Simmons, W. B., late sheriff of Meade county, bill to amend act for the benefit of the sureties of ---- 454, 506, 675, 702, 746
Simpson county, act to prohibit the sale of spirituous liquors in ---- 901
—see Hughlett, W. H.
—see Ryan, Michael.
Simpsonville and Buck Creek—see Road, turnpike.
Sinking Fund Commissioners requested to suspend the sale of the stock owned by the State in turnpike roads ---- 57
Sinking Fund Commissioners, communication of, in regard to the condition of the Kentucky war claim ---- 873
Sinking Fund Commissioners—see Pendleton county.
Slaughtersville—see Town.
Smith, S. R., nominated for Public Printer ---- 245
Smith, D. C., of Barren county, bill to repeal act for the benefit of ---- 237, 282, 322, 351
Smith, Rufus D., of the county of Jessamine, act for the benefit of, 460, 903, 936, 941
Smith, N. F., of Harrison county, bill exempting the property now occupied by, for school purposes, from taxation ---- 515, 659, 689, 737
Smith Thomas P.—see Clark, Jordan.
Smithfield and Pendleton—see Road, turnpike.
Smithfield and Shelbyville—see Road, turnpike.
Smith's Grove—see Town.
Smith's Grove Deposit Bank—see Bank.

Sneed, John L., nominated for Assistant Clerk ---------- 5
Sneed, John L., elected Assistant Clerk ---------- 16
Sneed, W. H., nominated for State Librarian ---------- 248
Society, Benevolent, in the city of Paducah, act to incorporate the ---- 254, 619, 645, 666
Church Aid, bill to incorporate the ---------- 620, 878, 938
of Colored Persons, Richmond Benevolent, bill to incorporate the ---------- 276, 298
Colored Union Aid, of Kentucky, bill to incorporate the ---------- 669
German Baptist Bethesda, bill to incorporate the ---------- 476, 518, 593, 871
German Roman Catholic St. Andrew's, of Louisville, bill to incorporate the, 268, 283
Harrison County Agricultural, bill to amend the charter of the, 147, 186, 276, 286, 325
Kentucky Agricultural and Mechanical, at Lexington, bill to incorporate the, 555, 710, 728, 877, 944
Lancaster Benevolent, bill to incorporate the, 778, 810, 844, 871, 872, 927, 946
Minett Orphan, bill to incorporate the ---------- 669
Preachers' Aid, of the Louisville Annual Conference of the M. E. Church, South, bill to incorporate the ---------- 128, 141
Second German Protestant Benevolent, of Louisville, bill to amend the charter of the ---------- 268, 282, 322, 351
Union Literary, of the Agricultural and Mechanical College of Kentucky, act to incorporate and aid the ---------- 799
—see Preachers' Aid.
Soldiers—see Troops.
Sonora—see Town.
South Carrollton—see Town.
South Fork of Quicksand creek, and other creeks, in Breathitt county, bill to declare the navigable streams ---------- 555, 815, 939, 943
Southwestern Kentucky Agricultural and Stock-raising—see Association.
South Kentucky—see Railroad.
South and West Banking Company, act to incorporate the ---------- 861
Southern Kentucky—see Railroad Company.
Southern Park—see Association.
Southern Pond Draining Company—see Jefferson.
Southside—see Road, turnpike.
Speaker, *pro tem.*, Wm. Johnson chosen ---------- 65
Spencer county, bill in relation to the sale of spirituous and other liquors in, 540, 688, 760, 794
Spencer county—see Court, levy.
Spottsville—see Town.
Springfield—see Town.
Stamping Ground and Long Lick—see Road, turnpike.
Standing Committees, list of ---------- 60
Stanford—see Town.
Stanford and Milledgeville—see Road, turnpike.
Stanley, W. H., resolution for the benefit of ---------- 906, 921, 925
State bonds, statement of amount of interest on ---------- 81
State debt, act to amend act to provide for the payment of the ---------- 200, 276, 299, 305

State deposits—see Commissioners of the Sinking Fund.
State officers—see Resolution, joint.
Stationery furnished members of the General Assembly, act to amend act in relation to ---- 91, 115, 126
Stationery for the Court of Appeals—see Librarian, State.
Station-houses—see Incorporated towns.
Staton, James W., of Bracken county, bill to legalize certain acts of-- 236, 282, 322, 351
Statute Laws and Codes of Practice, act to amend act to revise, digest, and compile the---- 579, 614, 637, 662
Statute Laws and Codes of Practice, bill further to amend act to revise, digest, and compile the---- 886, 887, 903
Statute Laws and Codes of Practice, Geo. W. Craddock, Edward I. Bullock, Joshua F. Bullitt, Richard A. Buckner, and Elijah C. Phister, appointed commissioners to revise---- 719
Statute Laws and Codes of Practice, Robert T. Davis appointed a commissioner to revise the---- 930
Statute of limitation, bill to repeal act to amend the---- 338
Steele's—see Road, turnpike.
Stephens, Ann E., of McCracken county, act for the benefit of---- 460, 579
Stephensport—see Town.
Stivers, W. B., school commissioner of Madison county, bill for the benefit of, 471, 517, 573, 637
Stock owned by the State in turnpike roads—see Commissioners Sinking Fund.
Stock owned by the State in turnpike roads—see Resolution, joint.
Stock owned by the State of Kentucky in turnpike roads or turnpike road companies, act repealing act authorizing and directing the sale of the interest and, 59, 62, 390, 406
Stock—see Bank stock.
Stock and Bond Board—see Louisville.
Stock off of public roads—see Courts, county, of Nicholas and Bourbon.
Stoner Run and Kentucky River—see Road, turnpike.
Stove, Grate, and Mantel Manufacturing Company, act to amend act to incorporate the, 293, 341, 366, 403
St. Augustine—see Cemetery.
St. Bernard Coal Company, bill to amend the charter of the---- 620, 659, 690, 737
St. James' College—see School, graded.
St. Joseph's Industrial School for Boys in the city of Louisville, act for the benefit of, 268, 296, 334, 352
St. Louis Cemetery—see Cemetery.
St. Mary's College, in Marion county—see College.
St. Paul's Protestant Episcopal—see Church.
St. Teresa's Catholic—see Church.
Sublett, D. D., elected Sergeant-at-Arms---- 16
Sublett, Samuel, of Woodford county, bill for the benefit of---- 692, 804, 927, 947
Sublimity Mills—see Rockcastle river.
Subpœnas for witnesses in vacation to appear before the grand jury, bill to authorize the issual of---- 735
Sulphur Well school district—see School district.
Survey of land—see Chancellor.

Surveyor's books—see Breathitt county.
Surveyors' books and records—see Cumberland county.
Synopsis of Acts directed to be printed for use of Senators 891
Synopsis of Acts directed to be printed for use of General Assembly, 767, 929, 936, 945
Synopsis of Acts—see Resolution, joint 767
Tague, J. A., F. E. Skidmore, W. Mahoney, W. B. Gillis, and M. Hunter, securities of James B. Cook, late sheriff of Trimble county, act for the benefit of, 897, 929, 935, 945
Talbott, A. G., added to the Committee on Revision of Revenue Laws 130
Talbott, William, appointed Manager of the Eastern Lunatic Asylum 420
Tan-bark—see Court, county, of Jefferson.
Taylor county, act for the benefit of district No. 6, in 731
Taxes—see McCracken county.
Taxes for road purposes—see Henderson county.
Tax-payers—see Carter county.
Tennessee river—see Fish.
Thanks, resolution of, to officers of the Senate 919
Theatrical performances—see Revised Statutes.
Third Lunatic Asylum—see Asylum.
Thompson, H. C., and W. T. Champion, of Livingston county, bill for the benefit of, 500, 858, 899, 934
Thompson Harrison, resolution in regard to the death of 184
Thomas, E. P., clerk of Henry county court, bill for the benefit of 778, 853
Thomas, John M., of Grayson county, act for the benefit of 358, 554, 594, 629
Tingle, Solomon, of Henry county, bill for the benefit of 391, 509, 573, 637
Tobacco in the city of Louisville, bill regulating the inspection and sale of, 159, 178, 321, 346, 361, 374
Tobacco laws, communication from Board of Trade of Louisville in regard to 237
Tobacco weigher in the city of Louisville—see Resolution to investigate charges against Senator Vories.
Tobacco—see Resolutions declaring it the pleasure of the Senate, &c.
Tobacco—see Resolution directing Committee on Agriculture to report on discrepancies in weight, &c.
Tobacco Commission and Mining Company—see Kentucky.
Tobacco, uniform tax on—see Resolution, joint.
Tobacco Warehouse—see Exchange Bank.
Todd, H. I., late Lessee and Keeper of the Penitentiary, act providing for a settlement with 578, 734, 760, 808
Todd county, bill to prohibit the sale of ardent spirits in the 1st and 5th magistrates' district of 515, 606, 646, 679
court—see Clerk.
—see Cumbie, J. D.
—see Trespasses.
Toll—see Bridge toll.
Tolls—see Covington and Cincinnati Bridge.
Town Company—see Valley City.
Town, Albany, bill to extend and enlarge the corporate limits of the, 620, 674, 703, 746
Antioch, bill to prohibit the sale of spirituous liquors in the, 541, 606, 704, 717, 764

Town, Ashland, act authorizing an additional examiner in the 358, 734, 760, 780
Ashland, bill to amend the charter of the 620, 675, 703, 746
Augusta, in Bracken county, act to amend the charter of the 163, 575, 617, 638
Bardstown, act to amend the charter of the 292, 596
Bardstown, act authorizing the trustees of to levy a tax to purchase a school-house 371, 539, 629
Bardstown, in Nelson county, bill to amend the charter of the 597, 675, 703, 747
Barlow City, in Ballard county, act to incorporate the 461, 619, 646, 666
Beattyville, in Lee county, act to incorporate the 600, 929, 935, 945
Belleview, bill to amend the charter and laws of the 735, 787, 883, 905
Benton, act to prohibit the granting of license to sell liquors in 601
Blandville, act to amend the charter of the 269, 592, 593, 678, 689, 736
Boston Station, bill to incorporate the 268, 298, 350, 450, 398, 419
Bowling Green, act to amend the charter of the 207, 255, 279, 324, 341, 345
Bowling Green, act to amend the charter of the 562, 595, 637
Brandenburg, act to incorporate the 667, 885, 935
Briensburg and Calvert City, in Marshall county, act authorizing the recording of plats of 62, 102, 120, 123
Brookville, act to amend and reduce into one the several acts incorporating the, 207, 618, 689, 731
Brownsville, act to amend act to incorporate the 443, 575, 631, 649
Bryantsville, bill to amend the charter of the 621, 676, 717, 764
Burksville, act to prevent the sale of spirituous liquors in the, 682, 902, 936, 941
Cadiz, bill to empower the trustees of the to sell old cemetery property, 779, 814, 937
Cairo, in Henderson county, bill to incorporate the 620, 879, 937
Calhoun, act to amend and reduce into one the several acts in relation to, 405, 575, 617, 638
Calvert City, bill to amend act incorporating the 343, 372, 416, 430
Campbellsville, bill to amend act to prohibit the sale of liquors in the, 122, 252, 276, 286, 326
Campbellsville, act to amend act to prohibit the sale of liquors in 579
Carlisle, Nicholas county, act to amend charter of 171, 267, 286, 305
Carrsville act to re-enact and amend act to incorporate the, 345, 454, 619, 645, 666
Cave City, bill to repeal act to amend the charter of the 735, 759, 806, 820
Claremont, bill to incorporate the 628
Claysville, bill to prohibit the sale of intoxicating liquors in the 540, 717, 764
Cloverport, bill to amend the charter of the 621, 674, 703, 746
Columbia, bill to amend and reduce into one all the acts in regard to the 277, 323
Corydon, bill to amend act to incorporate the 597, 677, 776, 817, 843
Crittenden, bill to prohibit the sale of liquors in 392
Crittenden, in Grant county, act to amend the charter of the 405, 627
Curdsville, bill to amend the charter of the 621, 677, 776, 882, 934
Demossville, bill to incorporate the 620
Dixon, bill to amend the charter of the 620, 676, 703, 746
Earlington, bill to amend act to incorporate the 269, 297, 350, 450, 389, 409
Eddyville, bill to amend the charter of the 745, 804, 884, 905

Town, Edmonton, act to prohibit the sale of spirituous liquors within one mile of the court-house in ---------- 278, 341, 366, 403
Elizabethtown, act to amend act further to amend the acts in relation to, 520, 619, 646, 667
Elizabethtown, act to amend act to amend the charter of ------ 520, 619, 646, 667
Elizabethtown, act to amend act to repeal the charter and reincorporate the, 520, 619, 631, 649
Elizabethtown, bill to amend the charter of the ---------- 779, 926, 946
Elkton, bill to prevent the sale of spirituous liquors in the, &c., 78, 118, 128, 137, 137
Falmouth, bill to authorize the to subscribe for turnpike stock------ 277, 323, 351
Falmouth, bill to close certain alleys in the ---------- 886, 940
Fitchburg, act to repeal act to incorporate the---------- 577
Fitchburg, act to amend the charter of the---------- 601
Franklin, bill to amend the charter of the ---------- 472, 591, 625, 648
Frederick, bill to repeal act to amend act to establish the--- 368, 421, 450, 472
Frenchburg, bill to amend act to incorporate the---------- 268, 297, 334, 352
Fulton, bill to incorporate the---------- 269, 298, 350, 450, 389, 409
Glasgow, bill for the benefit of the---------- 122, 130, 156, 176
Glasgow, bill to amend and reduce into one the several acts concerning the, 621, 729
Glasgow Junction, bill to amend act to incorporate the---------- 78, 97
Glasgow Junction, bill to amend the charter of---------- 735, 759, 806, 820
Glenville, in Adair county, bill to incorporate the---------- 679, 732, 883, 904
Greenup, bill to change the name of Greenupsburg to ------- 525, 675, 702, 747
Greenupsburg, bill to amend the charter of the---- 269, 303, 349, 370, 452, 457
Harrodsburg, bill to amend the charter of the---------- 301, 374
Harrodsburg, bill to amend the charter of the ---------- 342, 396, 418, 431, 473
Harrodsburg, act to enable the board of trustees of to pay and discharge the indebtedness of the---------- 461, 500, 524, 543
Harrodsburg, act to amend act to amend the charter of the------- 577, 902, 924
Hartford, act to amend act to amend the charter of ---------- 393, 619, 631, 649
Hawesville, act for the benefit of the---------- 73, 107, 138, 145, 155
Hawesville, bill to amend act for the benefit of the police judge of the, 116, 222, 249, 325
Hawesville, bill to repeal act for the benefit of the police judge of the------- 749
Hinklesville, bill to amend act to incorporate the---------- 777, 879, 940, 945
Hustonville, bill to amend the charter of the---------- 613, 677, 679, 690, 736
Jackson, bill to incorporate the---------- 269, 303, 350, 389, 409
Jamestown, bill in relation to the streets and alleys of---------- 692, 810
Kingston, bill to incorporate the.---------- 277, 373, 418, 437
Kingston, act to amend the charter of the ---------- 620, 880, 886, 940, 945
Kuttawa, bill to charter the---------- 268, 303, 349, 370, 452, 457
Lancaster, act to amend the charter of the---------- 132, 670, 678, 702, 747
Lancaster, act to repeal act to amend the charter of the ------ 205, 297, 334, 352
Lancaster, bill to amend act to reduce into one the several acts in regard to the, 745
Lancaster, act to amend act to reduce into one the several acts in regard to the, 809, 815, 900, 938

Town, Lawrenceburg, bill to amend the charter of the 268, 507, 537, 576
Lebanon, bill to amend the charter of 237, 282, 331, 353
Leesburg, bill for the benefit of 351, 567, 860
Leesburg, act to amend the charter of 600, 924, 931
Linton, bill to incorporate the 778, 814, 926, 942
Louisa, bill to authorize the trustees of, to lease portions of the public grade belonging to said town 179, 221, 249, 325
Madisonville, bill for the benefit of 102, 186, 202, 348
Madisonville, bill to amend and reduce into one the several acts concerning the, 622, 684, 879
Marshall, in Bath county, bill to incorporate the 621, 676, 717, 764
Martinsburg, bill to incorporate the 268, 282, 334, 352
Martinsburg, act to amend act to incorporate the 730, 929, 935, 945
Mayfield, act to amend the charter of the 96, 138, 155, 285
Mayfield, act to amend the charter of the 163, 267, 305
Midway, bill to amend the charter of the 476
Midway, act to amend the charter of the 836, 885, 935
Milburn, bill to amend and reduce into one the several acts incorporating the, 621, 676, 882
Milton and Kingston, bill for the consolidation and incorporation of the 620, 880
Montgomery, bill to incorporate the 418, 468, 525, 595, 637
Morganfield, bill to enlarge the boundaries of the 620, 676, 703, 746
Morgantown, act to prohibit the sale of liquors within one half mile of, 393, 539, 629
Morses, in Graves county, bill to amend act to incorporate the, 597, 676, 703, 746
Mt. Sterling, bill to amend the charter of the 735, 814, 926, 947
Nebo, act to amend act incorporating the 596, 675, 703, 747
New Liberty, bill revising the charter of the 269, 282, 322, 351
New Market, bill to amend act to incorporate the 122, 141
New Market, bill to amend the charter of 418, 468, 539, 594, 625, 648
North Middletown, in Bourbon county, bill to reduce into one the acts incorporating the 858, 900, 936
Norton, act to establish and incorporate the 714, 902, 935
Owenton, act to amend the charter of the 206, 618, 661
Paintsville, bill to incorporate the 576, 676, 776, 882, 905
Paradise, bill to extend the corporate limits of 269, 297, 335, 352
Parksville, bill to confer upon the marshal of the duties and powers of constables in civil cases 779, 839, 900, 938
Pewee Valley, act to amend act to incorporate the 269, 297, 349, 370, 452
Poplar Plains, bill to prohibit the sale of spirituous liquors in, 763, 804, 926, 946
Princeton, act to amend act to amend and reduce into one the several acts in reference to the 563, 619, 646, 667
Quincy, bill to amend the act incorporating the, &c. 842, 876, 940
Richmond, bill to amend act to reduce into one the several acts in relation to the 621, 732, 776, 817, 844
Rich Pond, bill to amend act to incorporate the 269, 303, 349, 370, 452
Slaughtersville, bill to amend the charter of the 621, 676, 703, 747

Town, Smith's Grove, bill to amend act to incorporate the---------- 269, 303, 349, 452
Smith's Grove, act to amend act to incorporate the---------- 505, 619, 689, 731
Sonora, bill to amend act to incorporate the---------- 268, 297, 334, 352
South Carrollton, bill to amend the charter of the, 185, 283, 324, 370, 452, 457
South Carrollton, bill to amend act to prohibit the sale of spirituous liquors in the---------- 540, 688, 744, 761, 795
Spottsville, bill to prohibit the sale of intoxicating liquors in and near the, 541, 606, 646, 679
Springfield, bill to change the corporate limits of the---------- 597, 675, 703, 746
Stanford, bill to amend the charter of the---------- 692, 814, 925, 946
Stephensport, bill allowing the citizens of, to vote for or against the sale of spirituous liquors in ---------- 541, 607, 632, 665
Uniontown and Caseyville, act to regulate the sale of spirituous liquors in, 181, 236, 255, 304
Upton, bill to amend the charter of the---------- 620, 676, 761, 794
Walton, in Boone county, act to repeal the charter of the, 421, 460, 478, 517, 554 612
Williamsburg, act to re-enact an act for the benefit of the citizens of the-- 116, 141
Winchester, bill to amend the charter of the---------- 102, 142, 204, 235, 325
Wingo, bill to incorporate the---------- 620, 674, 717, 764
Woodville, bill to increase the jurisdiction of the police judge of, in McCracken and Ballard counties ---------- 237, 684
Traders' Bank—see Bank.
Tradewater River Improvement, Coal, Lumber, and Mining Company, bill to incorporate the ---------- 892
Transylvania Printing and Publishing Company, of Lexington, bill to incorporate the---------- 692, 810, 857, 877, 940
Treasurer, communication from Governor in regard to bond of---------- 202
Treasurer, county—see Campbell county.
Treasury, act to provide for the existing deficit in the---------- 169, 189, 206
Treasury, Auditor's statement of the condition of the---------- 148
Trenton—see Bank of Trenton.
Trespass in Carroll and Trimble counties, act regulating defenses in actions of, 719, 782, 900, 906, 940, 945
Trespasses in Scott and Woodford counties, bill to prevent and punish certain, 777, 814, 899, 934
Trespasses in Logan and Todd counties, bill to punish certain, 515, 593, 691, 727, 790, 808
Trespasses—see Muhlenburg county.
Trespasses—see Nicholas county.
Triangulation of the coast survey—see Governor, message of, in regard to.
Trigg county, bill to establish an additional justices' district in---------- 301, 339, 411
—see Manufacturing, furnace, and mining establishments.
—see Road, State.
—see School district.
court—see Court, county, of Trigg.
Trigg and Calloway counties, act to authorize the to subscribe stock to railroads, 803, 902, 935
Trimble, H. G.—see Cossen, J. E.

Trimble county, bill for the benefit of ---- 861, 862, 939, 943
—see Fish.
—see Trespass.
Troops raised for the defense of the State, bill amendatory of an act to provide funds for paying ---- 65, 93
Tuckyhoe Ridge—see Road, turnpike.
Tunnels—see Railroad tunnels.
Turner, James, late sheriff of Perry county, bill for the benefit of, 555, 657, 695, 708, 783, 882, 904
Turnpike laws—see Henry county.
Turnpike road tax—see Lewis county.
Turnpike roads—see Adair county.
Turnpike roads—see Stock owned by the State.
Turnpike Road and Bridge Company—see Irvine and Miller's Creek.
Tygart Valley Iron Company, bill to incorporate the ---- 575, 757, 882, 903
Union county, bill for the benefit of the present and late sheriffs of ---- 128, 137
bill in relation to delinquent tax-payers in ---- 343, 358, 399, 419
bill creating magisterial district No. 10, in ---- 342, 373
—see Bank.
—see Court, levy, of Union.
—see Road law.
court—see Court, county, of Union.
Union Depot and Transfer Company—see Louisville.
Union Literary Society—see Society.
Union and Richwood—see Road, turnpike.
Uniontown—see Bank.
Uniontown—see Town.
Uniontown Deposit Bank—see Bank.
Uniontown, Princeton, and Southern—see Railroad Company.
United States Senator, Thomas C. McCreery elected ---- 136
University of the city of Paducah, act for the benefit of the ---- 505, 540, 629
University—see Kentucky University.
Upton—see Town.
Usher, Harvey, late of Ballard county, bill for the benefit of the estate of, and infant heirs of ---- 745, 787, 884, 905
Vacant lands—see Lands, vacant.
Valley City Town Company, bill to incorporate the ---- 628, 668
Vallandingham, A. C., elected Public Binder ---- 247
Valley Turnpike and Gravel—see Road Company.
Veto of bill to amend the charter of the Elizabethtown, Lexington, and Big Sandy Railroad Company ---- 545, 608,
Veto of bill to amend the charter of the city of Lexington ---- 911
Vories, W. L., resolutions to investigate charges against ---- 360, 378
Vories, W. L., report of committee appointed to investigate charges against ---- 492
Vories, W. L., added to the Committee on Finance ---- 598
Vories, W. L., allowed to record his vote in the negative on the passage of a bill to amend an act to establish an Insurance Bureau ---- 795
Voting by ballot—see Ballot.
Voting place—see McCracken county.

Voting precinct—see Carter county.
Voting precinct—see Shelby county.
Vice chancellor of the Louisville chancery court, bill to provide for the election and compensation of a, &c. 578, 705, 841, 898, 922
Vinson, James, and others, in Hardin county, bill for the benefit of 621, 660, 690, 736
Wages of laborers, who are *bona fide* housekeepers, act to exempt from attachment or garnishee 512, 885, 924, 932
Walters, James, committee of Polly Plewman, act for the benefit of 650
Walton, John E., of Kenton county, bill for the benefit of 95, 118, 137
Walton—see Association, Agricultural and Mechanical.
Walton—see Town.
Walton Agricultural and Mechanical—see Association.
War claim of Kentucky, statement of the condition of the 873
Warehouses—see Penitentiary warehouses.
Warning orders—see Sales.
Warren circuit court—see Judge.
Warren circuit and county courts—see Courts, circuit and county, of Warren.
bill to prevent the sale of spirituous liquors in 515, 608
bill for the benefit of 578, 902, 935
act for the benefit of 180, 186, 202, 325
Warren county, act to create the office of auditor for 181, 300, 334, 344, 454
—see Lawson, P. G.
court—see Court, county, of Warren.
Washington county, act to repeal act to prohibit the sale of intoxicating liquors along the line of certain turnpike roads in 115, 330, 389
bill to create an additional justices' district in 779, 809
bill regulating the time of listing property for local taxation in, 778, 814, 937
act authorizing the voters of Mackville precinct, in, to vote on the proposition whether ardent spirits shall be sold by retail in said precinct 115, 330, 350
bill for the benefit of 779, 815, 926, 947
—see Pottsville district.
Washington National Monument, resolution from New Jersey in regard to 680
Washington National Monument, bill to assist in the completion of the 781, 795
Washington Scientific School—see School.
Water-works Company—see Bowling Green.
Wayne circuit court—see Court, circuit, of Wayne,
Weapons, concealed deadly, bill to amend act to prohibit the carrying of 582
Webster county, act for the benefit of 351, 372, 407, 420, 839, 900, 938
bill for the benefit of justices of the peace in 778, 810
bill prohibiting the sale of spirituous liquors in, 665, 688, 691, 761, 794
Webster—see Bank of Webster.
Webster county—see Baker, Marion.
Weights and measures—see Revised Statutes.
Western German Savings Bank—see Bank.

Western Insurance and Banking Company, bill to amend the charter of the, 196, 283, 300, 322, 351
Western Tobacco Bank and Warehouse Company, act to incorporate the 335, 366
Western Tobacco Corporation, act to incorporate the 62, 72
West Liberty and Cross Roads—see Road, turnpike.
West Paris Bridge Company—see Bridge Company.
Westport, Carrollton, and Ghent—see Railroad Company.
Wharves at Beattyville—see Pryse, David.
Whitaker, Emery, elected Speaker *pro tem.* 113, 744
added to committee on revision of the revenue laws 130
added to the committee on claims 781
White Oak—see Road, turnpike.
White Stone Quarry Company, bill to incorporate the 597, 757, 882, 903
White Sulphur—see School district.
Whitley quarterly court—see Court, quarterly, of Whitley.
Widows' Home and Orphans' University—see Odd Fellows.
Widows' and Orphans' Home—see Christian Church.
Wilderness Turnpike Road—see Jackson county, citizens of.
Wiley, James B., of McCracken county, bill for the benefit of 476, 660, 689, 737
Williamsburg—see Town.
Williamstown Cemetery—see Cemetery.
Winchester—see Town.
Winchester Lodge—see Lodge.
Winchester and Muddy Creek—see Road, turnpike.
Winchester Odd Fellows' and Masonic Temple Company, bill to charter the 735, 782
Winchester and Red River—see Road, turnpike.
Winchester and Red River Iron Works—see Road, turnpike.
Wingo—see Town.
Withrow, J. M., act for the benefit of 897, 902, 935, 944
Wolfe county, act for the benefit of 435, 776, 806, 809
Wolfe county—see Deer.
Wolf creek—see Marcum, T. D.
Women—see Married women.
Wood, J. J., late sheriff of Clinton county, bill for the benefit of 476, 583, 632
Woodford county, bill to regulate official sales in 472, 676, 900, 937
bill for the benefit of 719, 742, 743, 772, 791, 883, 905
—see School district.
—see Sublett, Samuel.
—see Trespasses.
Woodland Market-house Company, of Louisville, act to incorporate the, 461, 619, 646, 666
Woodville—see Town.
Woodworth, B. E.—see Resolution, joint.
Work-houses—see Incorporated towns.
Workman's Publishing Company, of the city of Louisville, bill to incorporate the, 268, 283
Wortham David, of Graves county, bill for the benefit of 540, 674, 702, 793

7650 J 1